UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AUBREY DRAKE GRAHAM, Plaintiff, v. UMG RECORDINGS, INC., Defendant.	Civil Action No. _____ **Jury Trial Demanded**

COMPLAINT

Plaintiff Aubrey Drake Graham ("Drake" or "Plaintiff"), through his attorneys, brings this Complaint against Defendant UMG Recordings, Inc. ("Defendant" or "UMG").[1]

INTRODUCTION

"***A single lie can destroy a reputation of integrity and . . . while it takes years to build a reputation, it can be ruined in five minutes.***"

– Sir Lucian Grainge, Chief Executive Officer of UMG, March 25, 2024

1. In the middle of the night on May 7, 2024, an armed group of assailants drove up to the Toronto house in which Drake and his family resided. Drake was inside. The car stopped in front of the residence, someone yelled "Fuck Drake," and at least one gunman began to open fire. One bullet went through the security gate and hit Drake's front door; another bullet struck and wounded a security guard, who was also one of Drake's friends. While the car drove away, Drake and others in the house summoned help for the security guard and did everything possible to keep him alive. During the nearly thirty minutes it took for the ambulance to arrive, Drake and

[1] Throughout, references to UMG shall include any UMG employee, affiliate, agent, and anyone working on UMG's behalf.

others labored to keep the man alive by applying pressure to the gunshot wound with towels. Blood was everywhere.

2. After the security guard arrived at the hospital, surgeons worked quickly to remove the bullet, stop the bleeding, and save his life. Though it took days for his condition to stabilize, thankfully, the security guard survived.

3. The very next day, May 8, 2024, a different intruder used his bare hands to dig a hole under the security fence surrounding Drake's Toronto house. He managed to dig deep enough to squeeze through and enter Drake's property. Fortunately, Drake's home security guards caught him before he was able to cause any physical harm, although the trespasser managed to yell racist slurs and threats against Drake before being escorted off the property.

4. On May 9, 2024, the very next day, another break-in attempt happened.

5. In the two decades leading up to May of 2024, although Drake was constantly in the public eye, nothing remotely like these events had ever happened to him or his family. But these events were not coincidental. They immediately followed, and were proximately caused by, UMG's actions leading up to and on May 4, 2024.

6. UMG is the "world's largest music company,"[2] and also the music company that has represented Drake for more than a decade. Yet, on May 4, 2024, UMG approved, published, and launched a campaign to create a viral hit out of a rap track that falsely accuses Drake of being a pedophile and calls for violent retribution against him. Even though UMG enriched itself and its shareholders by exploiting Drake's music for years, and knew that the salacious allegations against Drake were false, UMG chose corporate greed over the safety and well-being of its artists.

[2] Amended Complaint ¶ 16, *UMG Recordings, Inc. v. OpenDeal Inc.*, No. 21-cv-09358 (S.D.N.Y. Aug. 26, 2022), ECF No. 64.

In controversy, UMG saw an opportunity, seized it, and continued to fan the flames even after learning of the incitement to violence on May 7 and 8, along with the unrelenting vitriol towards Drake that has followed.

7. The song in question is "Not Like Us" (the "Recording") written and performed by Kendrick Lamar Duckworth (professionally known as Kendrick Lamar).[3] The Recording was intended to convey the specific, unmistakable, and false factual allegation that Drake is a criminal pedophile, and to suggest that the public should resort to vigilante justice in response. The Recording is defamatory because its lyrics, its album image (the "Image"), and its music video (the "Video") all advance the false and malicious narrative that Drake is a pedophile. The lyrics repeatedly accuse Drake of engaging in criminal acts, including by calling him a "certified pedophile[]" and a "predator" who needs to be "placed on neighborhood watch."[4] The Image was designed to reinforce, and in fact reinforces, that accusation by depicting Drake's actual Toronto house covered in the icons that are known to be used by law enforcement (as well as public safety applications like Citizen) to identify child sex offenders' residences online. The Video bolsters the same message by, for example, showing images associated with sex trafficking and juxtaposing the game of hopscotch with lyrics accusing Drake of "Tryna strike a chord and it's probably A-Minor."[5]

8. This lawsuit is *not* about the artist who created "Not Like Us." It is, instead, entirely about UMG, the music company that decided to publish, promote, exploit, and monetize

[3] *Not Like Us* (Interscope Records 2024) [hereinafter "Recording"]. The full lyrics of the Recording are attached hereto as Exhibit A. The Recording was first made available for streaming on YouTube. *See* Kendrick Lamar (@kendricklamar), *Not Like Us*, YouTube (May 4, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew [https://perma.cc/6BL5-RGJY].

[4] Recording at 00:57-01:00, 02:11-02:15.

[5] *Not Like Us* at 01:43-01:50, YouTube (July 4, 2024), https://www.youtube.com/watch?v=H58vbez_m4E [https://perma.cc/BZ9F-S9PH] [hereinafter the "Video"].

allegations that it understood were not only false, but dangerous. As UMG knows and has known at all relevant times, the Recording, Image, and Video's allegations are unequivocally false. Drake is not a pedophile. Drake has never engaged in any acts that would require he be "placed on neighborhood watch." Drake has never engaged in sexual relations with a minor. Drake has never been charged with, or convicted of, any criminal acts whatsoever.

9. Notwithstanding its knowledge that the allegations are fabricated, starting in May of 2024, UMG waged an unrelenting campaign to spread the Recording, Image, and Video (together, the "Defamatory Material") as widely as possible. UMG did so because it understood that the Recording's inflammatory and shocking allegations were a gold mine. Spreading the Defamatory Material served multiple business purposes for UMG. First, the more people who listened to, streamed, watched, and downloaded the Defamatory Material, the more money UMG and its executives would make. Second, UMG's Interscope Records ("Interscope") owns Lamar's entire back catalog of recorded music. The leadership of Interscope had every incentive to prove it could maximize Lamar's sales after only recently persuading him to enter into his own direct license for a limited recording commitment of new music. Third, (in contrast with Lamar's first direct deal), UMG's contract with Drake was nearing fulfillment, and on information and belief, UMG anticipated that extending Drake's contract would be costly. By devaluing Drake's music and brand, UMG would gain leverage to force Drake to sign a new deal on terms more favorable to UMG.

10. UMG's campaign was successful. The Recording cloaks cleverly dangerous lyrics behind a catchy beat and inviting hook. Capitalizing on those attributes, UMG used every tool at its disposal to ensure that the world would hear that Drake "like 'em young."[6] The Defamatory

[6] Recording, *supra* note 3, at 00:40-00:42.

Material has been played billions of times, and its false central message has gone viral via social and legacy media channels in dozens of languages to (at minimum) hundreds of millions of people spanning the globe. It is not just fans of rap music who now believe that Drake is a "certified pedophile[]." The Recording has become ubiquitous. UMG used its promotional resources and exclusive licensing rights to place the Recording on numerous nationally televised events, including but not limited to awards shows, national political events, and more.

11. But billions of plays and ubiquity were not enough for UMG. Over the course of the last several months, UMG has made significant financial investments and leveraged its professional connections, via sophisticated and highly-organized publicity campaigns, to arrange for the Recording to be performed at one of the most significant (and viewed) cultural events of the year—the Super Bowl.

12. UMG is legally responsible for the release, publication,[7] and promotion of the Defamatory Material, including the foreseeable consequences of the same. UMG's business is to "possess the exclusive rights" to reproduce, to distribute, and to license music, "including over the [i]nternet."[8] In other words, it is only with UMG's explicit approval that the Defamatory Material could have been released in the first instance and later streamed, shared, performed publicly, and exploited by content creators on TikTok and Instagram.

13. UMG's campaign went well beyond the traditional music company playbook—indeed, UMG has unleashed every weapon in its arsenal, including, on information and belief,

[7] Throughout, this filing uses the terms "publish" and "publication" as understood within the defamation context. *See* PUBLISH, Black's Law Dictionary (12th ed. 2024) ("1. To distribute copies (of a work) to the public. 2. To communicate (defamatory words) to someone other than the person defamed"). In the context of the music industry, these terms have a different meaning, which is not intended here.

[8] Complaint ¶ 15, *UMG Recordings, Inc. v. Vital Pharms., Inc.*, No. 21-cv-60914 (S.D. Fla. Apr. 28, 2021).

certain practices that are unlawful.[9] In a memorandum to staff reflecting on highlights of 2021, Sir Lucian Grainge remarked that it was "harder than ever for artists to break through the noise" as, for example, "*sixty thousand songs are added to Spotify every day*." UMG made sure that "Not Like Us" broke through that noise. For one, UMG took the unprecedented step—contrary to its internal practices—to remove the Recording's copyright restrictions on YouTube and Twitch, thereby "whitelisting" the Recording to ensure content creators would republish it broadly. On information and belief, UMG and its agents further put a thumb on the scale by covertly offering financial incentives to third parties to deceptively stream the Recording on streaming platforms, to play the Recording on the radio, and to otherwise promote and endorse the Defamatory Material, all without ever publicly disclosing the payments. These actions not only spread and further engrained the defamatory statements in the minds of the public, but deceived consumers and harmed Drake economically.

14. Predictably, millions of people who listened to the Recording, or saw the Image and Video, believed the Defamatory Material to be true. UMG had previously published Lamar's song "Euphoria," which was also widely understood to be targeted at Drake, and which stated, "don't tell no lie about me and I won't tell truths 'bout you." As voluminous public commentary confirms, the average listener or viewer has understood the Defamatory Material to reflect "the truth," rather than art or hyperbole. In the words of one commentator, now "everybody believe[s]" that Drake loves "touching children."

[9] Drake previously initiated two pre-litigation actions against UMG in State court in New York and Texas to investigate allegations that UMG engaged in a deliberate and inappropriate strategy of paying third parties to artificially inflate the Recording's metrics, a practice known as "payola" and which is prohibited by the Communications Act of 1934 as well as other causes of action. *See* Verified Petition, *In the Matter of the Application of, FROZEN MOMENTS, LLC et al.*, Docket No. 161023/2024 (N.Y. Sup. Ct. Nov. 25, 2024); Verified Petition for Rule 202 Depositions, *In Re: Aubrey Drake Graham*, Docket No. 2024-CI-26782 (Tex. Dist. Ct. Nov. 25, 2024).

15. UMG's greed yielded real world consequences. As described above, it was just three days after UMG originally published the Recording and Image that Drake was targeted at his Toronto house by armed intruders in the 2024 equivalent of "Pizzagate." The online response was similarly violent and hateful. An avalanche of online hate speech has branded Drake as a sex offender and pedophile, among other epithets. Public commentary has repeated the (false) claims that Drake is a "pedo" and "sexual abuser on the level of Weinstein, Diddy, and Epstein" who "traffic[]s children" in shipping containers and harbors convicted "sex offenders" in his Toronto home. In direct response to UMG's publications, social media users called for the Federal Bureau of Investigation (FBI) to "to come at this point" and for Drake to be "locked up" and "behind bars."

16. The mob-like response to the Recording continues to unfold on- and off-line. Recently, flyers were plastered all over Toronto with a photo of Drake and a Canadian YouTuber who was sentenced to three years in prison for sexual assault with the words "Canadian sex predators gotta stick together."

besties
Jack Densmore
x
Drizzy
Canadian sex predators gotta stick together!
MEET YOUR NEIGHBOUR
Mr. Jack Densmore
Sex Predator
About Me
Hello Hamiltonians, I'm Jack Densmore! The self-c
'King of the North', I'm a YouTuber, podcaster,
artist, prankster ;) and convicted sex offender!
My Work Experience
I'm known for classic bangers like, "Pooping My Pant
School PRANK," "Pooping My Pants Next To People F
and "I POOPED MY PANTS AT THE BEACH!"
hello
Fun Facts About Me
I'm banned from every Ontario University campus!
I twerk on Dr. Jordan Peterson's dick
Google "Jack Densmore sexual assault" to learn
more about me! :)

17. With the palpable physical threat to Drake's safety and the bombardment of online harassment, Drake fears for the safety and security of himself, his family, and his friends. After the attacks on his home, Drake pulled his son out of the elementary school he attended in Toronto due to safety concerns, and once school ended for the summer, Drake arranged for his son and mother to leave Toronto entirely. Day to day, Drake continues to take steps to address persistent threats to his security.

18. The violence and vitriol directed at Drake was foreseeable. The Recording falsely accuses Drake of one of the most vile behaviors imaginable, and explicitly calls for retaliatory violence and retribution against him. The false "pedophile" accusation is a devastatingly effective method of assassinating someone's character online. When spread virally, the accusation can destroy an individual's reputation and brand in a matter of days. As one expert on conspiracy theories has explained: "There's always been a certain amount of salaciousness in these conspiracy theories . . . [a]nd if it involves children, people immediately just lose their mind — even if these children don't exist."[10] If "you just put out the suggestion there, it grabs ahold in a way that is difficult to dislodge."[11]

19. UMG understands just how dangerous these kinds of false allegations are—indeed, when it comes to allegations against UMG and its executives, they have not hesitated to take legal action against their accusers. Just last year, UMG and Sir Grainge were accused, in their words, without "the slightest factual basis," of aiding and abetting Sean "P. Diddy" Combs in criminal

[10] Catherine Kim, *Pizzagate, QAnon and the 'Epstein List': Why the Far Right Is Obsessed with Sex Trafficking*, Politico (Jan. 9, 2024), https://www.politico.com/news/magazine/2024/01/09/why-maga-is-obsessed-with-jeffrey-epstein-00134394 [https://web.archive.org/web/20241209003125/https://www.politico.com/news/magazine/2024/01/09/why-maga-is-obsessed-with-jeffrey-epstein-00134394].

[11] *Id.*

sexual acts.[12] Moving to dismiss the complaint against them, UMG and Sir Grainge argued that the accusations were "offensively false allegations of criminal behavior" that would be "libelous per se" if not contained within a legal filing.[13] Sir Grainge called the allegations against him "knowingly and maliciously false and defamatory."[14] Sir Grainge also explained that "***a single lie can destroy a reputation of integrity and . . . while it takes years to build a reputation, it can be ruined in five minutes***."[15] Thus, recognizing that false allegations against *him* might interfere with *his* efforts "to lead an honorable personal and professional life,"[16] Sir Grainge promised to "pursue those who have made these outrageous allegations against [him]."[17]

20. In stark contrast, when Drake confronted UMG about its role in promoting allegations of sexual misconduct lacking "the slightest factual basis" against him, UMG refused to do *anything* to help. Instead, UMG *continued* to republish and promote the Defamatory Material, even after Drake had unequivocally denied the allegations in public and had communicated that in private to UMG. Drake informed UMG of the tangible harm that the publication and promotion of the Recording had caused him—including violence, threats, reputational and financial damage, and more. Yet UMG *still* chose money over the safety and

[12] Declaration of Donald S. Zakarin in Support of Motion to Dismiss the First Amended Complaint ¶ 3, *Jones v. Combs*, No. 1:24-cv-01457 (S.D.N.Y. Mar. 27, 2024), ECF No. 26.

[13] *Id.* ¶¶ 18, 31, 66.

[14] Declaration of Sir Lucian Grainge in Support of Motion to Dismiss ¶ 24, *Jones v. Combs*, No. 1:24-cv-01457 (S.D.N.Y. Mar. 27, 2024), ECF No. 26-1.

[15] *Id.* (emphasis added).

[16] *Id.* ¶ 23.

[17] *Id.* ¶ 15.

well-being of its artists, notwithstanding its public commitment to "behaving honorably and with honesty," and "setting the right tone—in all that we do."[18]

21. Many months prior to filing this litigation, Drake attempted to address these claims privately with UMG. Drake believed, per Sir Grainge, that UMG's leadership should be held "accountable for the decisions we make and how we conduct ourselves."[19] And UMG purports to care about threatening and abusive behavior—indeed, UMG's Code of Conduct notes that "[h]arassment can take different forms, such as . . . speech that is threatening or abusive," and declares that "violence, threats and physical intimidation are not tolerated at Universal Music" because "[w]e all share the responsibility to make health and safety a constant priority."[20] Yet, in response to Drake's concerns, UMG responded that Drake would face humiliation if he brought legal action—presuming that the public would be unable to understand UMG's role in exploiting and profiting from this dispute. UMG's posture, as the "world's largest music company," was that it is untouchable.

22. UMG's response to Drake was especially perverse given that it is perfectly willing to sue to protect its own interests when it believes that doing so will protect its "property."[21] UMG is "engaged in the business of acquiring, administering, licensing, exploiting and otherwise

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[18] Universal Music Group, *Our Code of Conduct: Setting the Right Tone*, at 2 (2021), https://dn8hzp56erqjx.cloudfront.net/pdf/pdf/2021-UMG-Code-of-Conduct.pdf [https://web.archive.org/web/20231113085616/https://dn8hzp56erqjx.cloudfront.net/pdf/pdf/2021-UMG-Code-of-Conduct.pdf].

[19] *Id.*

[20] *Id*. at 10-11.

[21] By way of example: in 2022, UMG sued OpenDeal, Inc. for trademark infringement, among other claims, *UMG Recordings, Inc. v. OpenDeal Inc.*, No. 1:21-cv-09358 (S.D.N.Y. Nov. 12, 2021); in 2021, UMG sued Bang Energy for the unlicensed used of its songs in TikTok videos, *UMG Recordings, Inc. v. Vital Pharms., Inc*, No. 21-cv-60914 (S.D. Fla. Apr. 28, 2021); in 2017, UMG sued Grande Communications Networks for infringement and copyright violations, *UMG Recordings, Inc. v. Grande Communications Networks LLC*, No. 1:17-cv-00365 (W.D. Tex. Apr. 21, 2017); in 2011, UMG sued Escape Media Group, Inc. for copyright infringement, *UMG Recording, Inc. v. Escape Media Group, Inc.*, No. 1:11-cv-08407 (S.D.N.Y. Nov. 18, 2011).

monetizing"[22] the music of its artists, including Drake, and it does not hesitate to file lawsuits when doing so suits its financial interests. This lawsuit is both necessary and appropriate because UMG has repeatedly defamed Drake while "exploiting" and "monetizing" his work.

23. With his own record label having waged a campaign against him, and refusing to address this as a business matter, Drake has been left with no choice but to seek legal redress against UMG. UMG may spin this Complaint as a rap beef gone legal, but this lawsuit is not about a war of words between artists. This lawsuit involves no claims against Kendrick Lamar or any other artist; instead, it is about UMG—the publisher and exclusive rights holder of Lamar's music, as well as Drake's—and its malicious decision to *publish and promote*, through covert means, false allegations about Drake that UMG knew were false, explosive, inflammatory, and certain to result in both vitriol and substantial harm to Drake's reputation.

24. Notwithstanding a relationship spanning more than a decade, UMG intentionally sought to turn Drake into a pariah, a target for harassment, or worse. UMG did so not because it believes any of these false claims to be true, but instead because it would profit from damaging Drake's reputation. Drake thus brings this action to hold UMG responsible for the actual and foreseeable harm he has suffered, and will continue to suffer, because of UMG's choice to elevate profits over the well-being of its artists and the music-consuming public.

PARTIES

25. **Plaintiff Aubrey Drake Graham**, a/k/a Drake, is a rapper, singer, songwriter, actor, entrepreneur, and philanthropist. Drake is a citizen of Texas.

26. **Defendant UMG Recordings, Inc.** is a wholly owned subsidiary of Universal Music Group N.V. (together with UMG, "Universal Music"), a public company formed under the

[22] Complaint ¶ 1, *UMG Recordings, Inc. v. Vital Pharms., Inc.*, No. 1:21-cv-60914 (S.D. Fla. Apr. 28, 2021).

laws of the Netherlands. UMG is a Delaware corporation with its headquarters in California, and thus it is a citizen of Delaware and California. UMG is registered to do business in New York and maintains an office in New York City at 1755 Broadway, New York, New York 10019. Indeed, several of UMG's record label divisions are headquartered in New York.[23] Universal Music touts itself as "the world leader in music-based entertainment" which "produce[s], distribute[s] and promote[s] the most critically acclaimed and commercially successful music to delight and entertain fans around the world."[24] UMG has recording contracts with some of the world's biggest music stars, including Taylor Swift, Ariana Grande, Adele, and, relevant here, Drake and Kendrick Lamar. Drake has been signed under exclusive recording contracts controlled by UMG since 2009, which provide UMG with the exclusive right to license, sell, and promote his recordings.[25] UMG is engaged in the business of exploiting "recorded music, music publishing, merchandising, and audiovisual content,"[26] including through Republic Records ("Republic"), Capitol Records ("Capitol") and Interscope, all of which are wholly owned divisions of UMG. As of 2024, Kendrick Lamar releases music from his independent label through an exclusive direct licensing agreement with UMG through Interscope. Universal Music also operates Universal Music Publishing Group ("UMPG") as its music publishing and distribution arm. Both Drake and Kendrick Lamar's music publishing rights are exclusively controlled by UMPG under songwriter agreements.

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[23] Complaint ¶ 7, *UMG Recording, Inc. v. Escape Media Group, Inc.*, No. 1:11-cv-08407 (S.D.N.Y. Nov. 18, 2011).

[24] *Overview*, Universal Music Group, https://www.universalmusic.com/company/#organization [https://perma.cc/D2JD-YJPD].

[25] *See* Mariel Concepcion, *Drake Signs To Young Money, Distribution By Universal Republic*, Billboard (June 20, 2009), https://www.billboard.com/music/music-news/drake-signs-to-young-money-distribution-by-universal-republic-268244/ [https://web.archive.org/web/20250114212221/https:/www.billboard.com/music/music-news/drake-signs-to-young-money-distribution-by-universal-republic-268244/].

[26] Universal Music Group, *Overview*, *supra* note 24.

JURISDICTION AND VENUE

27. This Court has jurisdiction over this action and Defendant pursuant to 28 U.S.C. § 1332(a)(1), as the matter in controversy exceeds $75,000 exclusive of interests and costs and is between citizens of different states.

28. This Court may exercise personal jurisdiction over Defendant pursuant to § 302 of the New York Civil Practice Law and Rules because UMG transacts business within the state and owns, uses or possesses real property within the state. Further, this Court may exercise personal jurisdiction over Defendant pursuant to § 301 of the New York Civil Practice Law and Rules because UMG systematically and continuously conducts and solicits business within New York and has availed itself of the privileges of conducting business in the State of New York.

29. Venue is proper pursuant to 28 U.S.C. §§ 1391 (b) and (c) because a substantial part of the events or omissions by UMG giving rise to the claims occurred in this District, and because UMG is subject to personal jurisdiction in this District.

BACKGROUND

30. Liability in this case is predicated on the Defamatory Material which UMG published and/or caused the publication of beginning on May 4, 2024, and continuing through the date of this filing. This background section provides facts and context about the parties and the events leading up to the initial publications.

A. *Drake Is Internationally Recognized as a Multitalented Rap Superstar.*

31. Drake's career spans two decades. While Drake first rose to fame in the early 2000s as the star of hit Canadian teen drama television series *Degrassi: The Next Generation*, the rapper "Drake" is now known worldwide.

32. Drake is one of the world's best-selling music artists of all time. Some of Drake's biggest hits include "Hotline Bling" and "One Dance." Between 2010 and 2024, Drake released

eight studio albums, with more than 170 million albums sold including 244 million singles sold. Drake has had 13 #1 Hits on the Billboard Hot 100 Chart.

33. Drake's success has been repeatedly celebrated by the music industry. Drake has been nominated for 55 Grammy Awards, and has won five, including most recently in 2023. Drake has also won 42 Billboard Music awards and in 2021, Drake accepted Billboard's "Artist of the Decade" award. Drake proudly accepted the award with his young son, father, and members of his team by his side, dedicating the award to his son, friends, longtime collaborators, and peers.

34. Drake's professional and entrepreneurial endeavors extend beyond music. In 2012, Drake founded the Canadian-based record label OVO Sound, which has signed artists including PartyNextDoor, Majid Jordan, Smiley, and Naomi Sharon.

35. Drake also uses the brand name OVO, represented by an owl, for his clothing brand. Far more than just "label merch," the clothing brand has collaborated with Canada Goose, Canadian retailer Roots, Disney, the NCAA, the NFL, and Supreme. In addition to lucrative online sales, OVO operates several brick-and-mortar stores in Canada, the United States, and the United Kingdom.[27]

36. Drake founded a multidisciplinary media production company, DreamCrew, which operates a management company, production house, and content studio. Through DreamCrew Entertainment, Drake has executive-produced award-winning documentary films, feature films, and hit television programs for FX, Hulu, Netflix, and HBO, including *Top Boy*, which has received awards from the British Academy Television Awards, and *Euphoria*, for which Drake received a Primetime Emmy Award nomination.

[27] *Stores*, October's Very Own, https://us.octobersveryown.com/stores [https://perma.cc/2QPU-LLYW].

37. As a celebrity with global name recognition, Drake is regularly approached for collaborations, partnerships, and endorsement deals. In 2013, Drake became the global ambassador for Toronto's NBA team, the Raptors. Since then, Drake has inspired new alternate team jerseys, narrated team advertisements, hosted a "Drake Night" each season for several years, and pledged charitable contributions to refurbish community basketball courts and to support Canada Basketball, the country's national basketball federation. In 2019, the Raptors renamed their practice facility the "OVO Athletic Centre." Drake's partnership with the Raptors is significant to the team and the city, and President of the Toronto Raptors Masai Ujiri has said that "the Raptors' relationship with Drake has always ultimately been about celebrating this city and the people who make it unique. . . . We have something very special happening in Toronto, and Drake is a big part of that."[28]

38. Drake's philanthropic efforts have received almost as much attention and praise as his music. Drake has a "history of making generous donations" and going on "charitable spree[s]" in the communities where he shoots music videos and appears on tour.[29] Through his charitable giving, Drake has supported public schools and nonprofit educational programs, community development organizations and homeless shelters, hurricane relief efforts, and various individuals in need, including college students, grieving mothers, patients in need of surgery, and fans in dire need of financial assistance. Drake also focuses on giving back to his community in Houston, Texas, including by providing much-needed financial assistance in the wake of Hurricane Harvey.

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[28] *Drake and the Raptors Partnership Continues To Expand*, NBA.com (Jan. 19, 2018), https://www.nba.com/raptors/news/drake-raptors-partnership-continues-to-expand [https://perma.cc/Q2TH-CRFA].

[29] Marissa G. Muller, *Drake Goes on $175,000 Charity Spree Paying For Groceries and College Tuition For Total Strangers*, W Magazine (Feb. 7, 2018), https://www.wmagazine.com/story/drake-charity-donations-womens-shelter-groceries-tuition [https://perma.cc/P2FW-Y34L].

39. As UMG knows and has understood at all relevant times, Drake has never been indicted for, charged with, or convicted of committing any crimes whatsoever, much less sexual crimes, or any crimes against minors.

B. *UMG Is a Music Industry Giant.*

40. In its own words, UMG is the "world leader in music entertainment."[30] UMG is "engaged in the business of acquiring, administering, licensing, exploiting and otherwise monetizing a catalog of copyrights containing musical compositions and sound recordings."[31] UMG "controls almost a third of the music people listen to in the developed world and a sizable portion in the developing world."[32]

41. In the music industry, control over a particular single, album, or other collection of works is governed by various contracts, including traditional recording deals, and distribution, publishing, and licensing deals. In a traditional recording deal, a record label typically retains exclusive rights to an artist and the artist's recordings, and the right to re-recording the compositions embodied therein for a specified period of time. The label pays an advance for the artist's recordings and royalties and finances the provision of services to the artist in areas such as production, promotions, marketing, and distribution. A distribution deal differs in that it generally allows an artist to retain ownership of his recordings and grants the record label the exclusive right to sell, license, and distribute the recordings in certain formats (e.g., digital audio and physical phonograph records) for a specified period of time. With a music publishing administration deal,

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[30] Universal Music Group, *Overview*, *supra* note 24.

[31] Complaint ¶ 1, *UMG Recordings, Inc. v. Vital Pharms., Inc.*, No. 1:21-cv-60914 (S.D. Fla. Apr. 28, 2021).

[32] Mike Kytka, *Universal Music Group: A Royalty on Global Music Consumption*, MoneyFlow Research (Sept. 22, 2022) https://moneyflowinvesting.substack.com/p/universal-music-group-a-royalty-on [https://web.archive.org/web/20221014152632/https://moneyflowinvesting.substack.com/p/universal-music-group-a-royalty-on].

the artist as a songwriter generally retains ownership of his musical compositions and pays a percentage of his music publishing revenues to a publisher to administer, promote, exploit, license, and protect use of his songs. A 360 deal, also known as a master contract, is the most comprehensive. It encompasses the traditional rights granted in a recording deal, but also provides the record label with control over, or a passive income stream from, merchandising, touring, endorsements and other ancillary ventures the artist may undertake.

42. Once Universal Music owns the recording, distribution, and/or publishing rights to a work, it exploits that ownership through licensing deals with third parties. "UMG licenses its music to hundreds of retailers around the world."[33] These licensing deals allow third parties to legally use a recording, a musical composition, or portions thereof. Universal Music has licensing agreements with all of the major platforms, including, but not limited to, iTunes, Amazon, Apple Music, Napster (formerly Rhapsody), and Spotify, as well as TikTok and Meta (including Facebook, Instagram, YouTube, WhatsApp, and Threads). In the event that a person or entity wants to use a song outside of one of the licensed platforms—for example, to play during a political rally or a sporting event—it has to request the right to do so from Universal Music, which holds the synchronization contract. A third party cannot legally use Universal Music's recordings or UMPG's licensed content embodying those recordings in advertising, on a live stage, in film, on television, or on the radio without the explicit consent of Universal Music. Through its exclusive licensing rights, Universal Music wields incredible power to promote and popularize a song or performer. UMG "invest[s] significant amounts of money, time, and effort to . . . advertise, promote, sell, and distribute" the music it owns.[34]

[33] *Id.*

[34] Complaint ¶ 6, *UMG Recordings, Inc. v. Grande Communications Networks LLC*, No. 1:17-cv-00365 (W.D. Tex. Apr. 21, 2017), ECF No. 1.

43. Universal Music exercised this control in early 2024, when it pulled its songs from publication on TikTok over issues with the platform's use of generative artificial intelligence.[35] Through copyright ownership, Universal Music can control the unlicensed use of its music, but it can also strategically waive or reduce the customary fees it charges for the licensing rights to its music to provide for the unrestricted spread of a song. This tactic, known as "whitelisting," happens when a copyright holder, like Universal Music, permits a user or platform to use its content without charging fees or imposing other limitations. In the normal course, internet platforms operate automated content identification systems to block the unauthorized use of copyrighted material by their users. In whitelisting, these automated systems are turned off.

44. Universal Music says it "exist[s] to shape culture through the power of artistry" because music "is unique in its ability to inspire people"[36]—that power to shape culture and inspire people is apparent by the numbers. In its 2023 annual report, Universal Music boasts that it has a catalog of more than 220 artists and brands, 3.2 million recordings, and 4.5 million owned and administered titles.[37] At the end of 2023, Universal Music had an ownership interest in 61 of the Billboard Hot 100 tracks.[38] In Q1 2024, Billboard reported that UMG represented 33.9 percent of

[35] *See* Glenn Peoples, *UMG's TikTok Standoff Affects Over 60% of the Most Popular Songs*, Billboard Pro (Mar. 1, 2024), https://www.billboard.com/pro/universal-music-tiktok-fight-affects-majority-most-popular-songs/ [https://perma.cc/M7FD-5MNH]; Todd Spangler, *TikTok Removes Songs from Taylor Swift, Drake and More After Universal Music Deal Termination*, Variety (Feb. 1, 2024), https://variety.com/2024/digital/news/taylor-swift-drake-removed-tiktok-1235894245/ [https://perma.cc/ZD7T-CWYG].

[36] Universal Music Group, *Overview*, *supra* note 24.

[37] Universal Music Group, *Annual Report* at 9 (Mar. 28, 2024), https://view.publitas.com/cfreport/umg-annual-report-2023/page/9 [https://perma.cc/XJM3-WKVB].

[38] Peoples, *supra* note 35.

the record label market share.[39] On social media platforms alone, music owned by Universal Music was streamed 11 *trillion* times in 2023.[40]

45. UMG's size dwarves other music companies, and this "size gives it an advantage." UMG has "a physical presence in 200 geographic markets" which gives artists signed to UMG "a critical edge compared to peers at competing labels as the company can amplify the local success of an artist from one region to the rest of the world."[41]

46. UMG uses this size and dominance to convince artists to sign with its record labels. Because of streaming, "it is more of an uphill battle than ever before to capture the audience's attention amongst a sea of other songs."[42] UMG's market position, combined with the flood of content that hits streaming platforms every day, means that artists "depend on UMG to stand out from the crowd."[43] Even established artists depend upon UMG to "maximize their commercial success through its world-class marketing, proprietary data analytics, global distribution network, and additional monetization opportunities."[44] Artists sign with UMG, in sum, because "a UMG partnership" promises to support the artist's music with "an experienced team of professionals incentivized to advance [one's] career."[45]

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[39] Dan Rys, *Record Label Market Share Q1 2024: Warner Records Posts Huge Gains While Universal Enters a New Era*, Billboard (Apr. 12, 2024), https://www.billboard.com/business/record-labels/record-label-market-share-q1-2024-universal-warner-1235655068/ [https://perma.cc/2ETX-7ESV]; Press Release, *Universal Music Group N.V. Reports Financial Results for the First Quarter Ended March 31, 2024*, Universal Music Group (May 2, 2024), https://assets.ctfassets.net/e66ejtqbaazg/614OYzS1StqrjuaCDprUYl/b291a4b4eaa4a4c13ab4ee7e28fb293c/Q1_2024_results_press_release.pdf [https://perma.cc/X6L4-E3K2].

[40] Universal Music Group, *Annual Report*, *supra* note 37, at 7.

[41] Kytka, *supra* note 32.

[42] *Id.*

[43] *Id.*

[44] *Id.*

[45] *Id.*

47. UMG's executives are handsomely compensated for exploiting artistic works. UMG reports that its executive compensation is driven by its transition to more performance-based packages. UMG executives, including those at Interscope, have an annual incentive program through which they are rewarded for meeting and surpassing sales and profit projections, among other metrics. The incentives are largely based on the specific UMG division, rather than the performance of UMG more generally. For example, the annual incentive or bonus of Interscope's CEO, John Janick, is based 90% on the financial success of Interscope and only 10% on the financial success of UMG generally.

48. This division-based incentive structure creates perverse incentives within UMG. Mr. Janick and other Interscope executives are incentivized to maximize the financial success of the Interscope labels without taking into account the impact on other UMG labels. For example, through the promotion of the Recording and its revitalizing impact on Kendrick Lamar's entire recording catalog, including his first five studio albums, Interscope and Interscope executives benefit regardless of the effect on other UMG labels, like Republic, which represents Drake.

C. *UMG and Drake Have a Long Partnership.*

49. UMG began profiting off Drake's art in 2009.[46] The parties extended their contract in 2022. After announcing the 2022 contract extension, Sir Grainge described Drake as one of the "biggest artists of today" and expressed that UMG "couldn't be more excited about what lies ahead" for its relationship with Drake.[47] Through the contract extension, UMG profits from its exclusive right to exploit Drake's music.

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[46] Concepcion, *supra* note 25.

[47] *Earnings Call Transcript – Universal Music Group N.V. (UMGNF) CEO Lucian Grainge on Q1 2022 Results*, Seeking Alpha (May 3, 2022), https://seekingalpha.com/article/4506501-universal-music-group-nv-umgnf-ceo-lucian-grainge-on-q1-2022-results-earnings-call-transcript [https://web.archive.org/web/20221010054001/https://seekingalpha.com/article/4506501-universal-music-group-nv-umgnf-ceo-lucian-grainge-on-q1-2022-results-earnings-call-transcript].

50. The contract between UMG and Drake is up for renegotiation in 2025. By the Spring of 2024, UMG understood that the rise of streaming platforms had "enhanced the bargaining power of artists. Established artists whose contracts are coming up for renewal are in an improved position to demand higher take rates due to the improvement in the visibility of cash flows and risk reduction."[48] And as described below, on information and belief, UMG was incentivized to act, and in fact did act, in a manner to reduce that bargaining leverage in advance of upcoming negotiations with Drake over contract renewal.

D. *UMG Has Licensing and Publishing Rights over Kendrick Lamar's Music.*

51. On information and belief, from 2012 through 2023, Kendrick Lamar was signed to an exclusive production company agreement with Top Dawg Entertainment which, in turn, furnished his exclusive recording services to the Aftermath Entertainment record imprint, a joint venture of Interscope. The sound recording copyrights to Kendrick Lamar's first five studio albums are owned and controlled by Interscope. In 2023, having fulfilled his recording obligations to Top Dawg Entertainment and Aftermath Records, Kendrick Lamar signed a new short-term exclusive recording and licensing deal with UMG, through Interscope, and an exclusive publishing administration agreement with UMG, through UMPG. Through these contracts, UMG exclusively controls the release, publication, and licensing of all music products created by Kendrick Lamar during the term of the contract, including the Defamatory Material. On information and belief, Lamar signed a short-term deal with UMG to see if UMG could prove its value to him—to promote him more effectively than any other music company could—in a compressed timeframe.

[48] Kytka, *supra* note 32.

52. If successful, Lamar would then continue his relationship with UMG through a new, longer-term contract. On information and belief, that long-term deal was consummated in December of 2024.

53. On information and belief, UMG's contracts with Kendrick Lamar provide UMG the right to prevent the publication of, and/or to insist on modifications to, any material created by Kendrick Lamar, including but not limited to any content which UMG believes to be defamatory.

UMG PUBLISHES THE DEFAMATORY MATERIAL

A. *UMG Publishes the Recording and Begins to Defame Drake.*

54. On May 4, 2024, pursuant to its publication and licensing rights, UMG published the Recording for streaming on YouTube, YouTube Music, Spotify, Apple Music, Amazon Music, Pandora, iHeart Radio, Tidal, SoundCloud, Audiomack, Napster, Qobuz, Last.fm, and Deezer, and made the Recording available for purchase on Apple Music and Amazon Music.

55. When viewed on Spotify, Apple Music, Amazon Music, iHeart Radio, SoundCloud, and Deezer, the Recording includes the following language: "**exclusive license to Interscope Records**," which is a division of UMG.

56. Since Defendant's initial publication of the Recording, the Recording has been streamed globally more than 990 million times on Spotify alone as of the date of this filing.[49]

57. The Recording repeatedly accuses Drake of engaging in criminal acts, including pedophilia and/or other acts that would require registering as a sex offender and of being registered as a sex offender.

58. Within the first minute, the Recording identifies Drake by name and states that Lamar has *heard* that Drake has a predilection for underage women: "***Say, Drake, I hear you like***

[49] Spotify Chart History, *Not Like Us*, Kworb.net (last visited Jan. 14, 2025), https://kworb.net/spotify/track/6AI3ezQ4o3HUoP6Dhudph3.html [https://perma.cc/3NBM-LBQQ].

'em young."[50] The next line is a thinly veiled threat that Drake should be careful that he never ends up in prison, a place where child predators are notoriously the targets of violence: "***You better not ever go to cell block one***."[51] The Recording continues to say that any woman who falls in love with Drake should be careful to "***hide***" her "***lil' sister from him***."[52]

59. Next, in a perverse reference to Drake's 2021 album "Certified Lover Boy:" "***Certified Lover Boy? Certified pedophiles***."[53] In a play on the dual meaning of minor—a person under the age of 18 and a musical scale—the Recording says that Drake is "***Tryna strike a chord and it's probably A-Minor***."[54] Later in the Recording, Lamar describes Drake as "***Malibu most wanted***."[55] The Recording continues to say that Drake and the people in his circle need to be served with a "***subpoena***" because a "***predator***" moves "***in flocks***" and asserts that Drake's name "***gotta be registered and placed on neighborhood watch***."[56]

60. The Recording also repeatedly suggests that violence should be used against Drake because he is a pedophile. Like the sound of someone being beaten up, the Recording repeats "***wop, wop, wop, wop***" and then says Lamar will "***fuck 'em up***."[57] Later, the Recording threatens that if Drake comes to Oakland, where Lamar grew up, he will not make it out alive: "***I think that Oakland show gon' be your last stop***."[58] The Recording makes clear that justice will be served not through the legal system and/or commentary on social media, "***Fuck a caption***," but through

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[50] *Recording*, *supra* note 3, at 00:40-00:42 (emphasis added).

[51] *Id.* at 00:42-00:45 (emphasis added).

[52] *Id.* at 00:45-00:50 (emphasis added).

[53] *Id.* at 00:57-01:00 (emphasis added).

[54] *Id.* at 01:06-01:14 (emphasis added).

[55] *Id.* at 01:40-01:42 (emphasis added).

[56] *Id.* at 02:11-02:15 (emphasis added).

[57] *Id.* at 00:57-01:02 (emphasis added).

[58] *Id.* at 01:25-01:28 (emphasis added).

physical violence, "***want action, no accident, and I'm hands-on, He fuck around, get polished***."[59] At the end of the Recording, the lyrics threateningly repeat: "***Hey, hey, hey, hey, run for your life, Hey, hey, hey, hey, run for your life***."[60]

61. The Recording contains numerous additional statements that imply the existence of evidence to support the allegations against Drake. The Recording threatens that Lamar could reveal more secrets about Drake, "***Rabbit hole is still deep, I can go further, I promise***," and that the public will believe him: "***The audience not dumb, Shape the stories how you want, hey, Drake, they're not slow***."[61] The Recording continues by making reference to several Drake songs ("Family Matters" and "God's Plan") and accusing Drake of being a liar for denying allegations of criminality: "***The family matter, and the truth of the matter, It was God's plan to show y'all the liar***."[62] The Recording also makes a vulgar attack on Drake's brand OVO: "***What OVO for? The 'Other Vaginal Option'? Pussy***"[63] and "***Let me hear you say, 'OV-hoe' (OV-hoe), Say, 'OV-hoe' (OV-hoe)***."[64]

62. Furthering the Recording's refrain that Drake is "***not like us***," the Recording alludes to Drake's Jewish heritage, saying that Drake is "***not a colleague***" but "***a fuckin' colonizer***."[65]

63. With the Recording, UMG also published an accompanying Image on May 4, 2024, to YouTube, YouTube Music, Spotify, Apple Music, Amazon Music, Pandora, iHeart Radio,

[59] *Id.* at 01:57-02:01 (emphasis added).

[60] *Id.* at 03:50-03:54, 04:00-04:04 (emphasis added).

[61] *Id.* at 01:33-01:39 (emphasis added).

[62] *Id.* at 03:32-03:36 (emphasis added).

[63] *Id.* at 01:49-01:53 (emphasis added).

[64] *Id.* at 04:03-04:09 (emphasis added).

[65] *Id.* at 03:29-03:32 (emphasis added).

Tidal, SoundCloud, Audiomack, Napster, Qobuz, Last.fm, and Deezer, the UMPG website,[66] and Meta and TikTok.[67] Any person who views, listens to, or streams the Recording on one of these platforms can view the Image.

Image on Google Images:

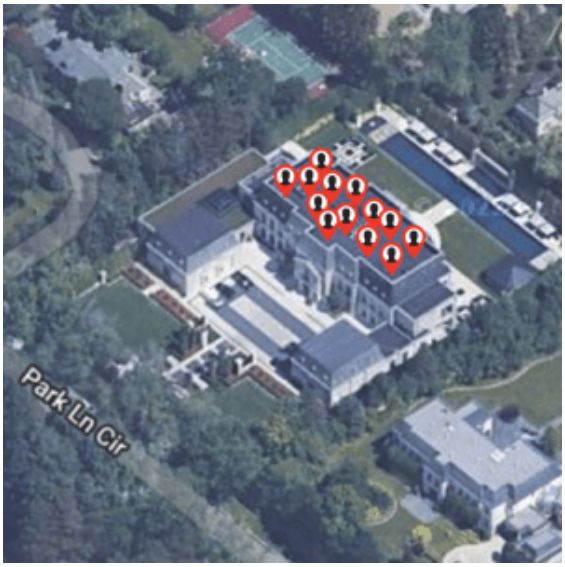


Image on Apple Music:

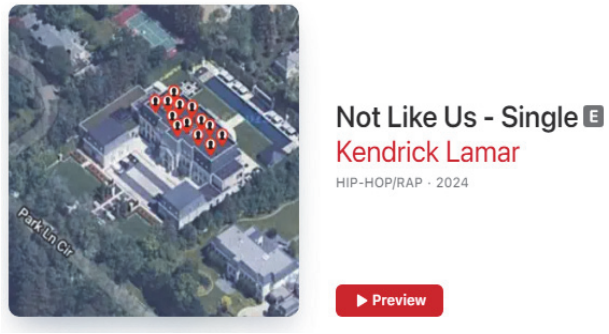


Image on Spotify:

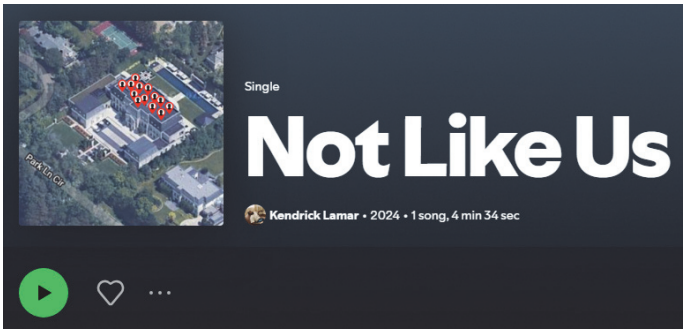
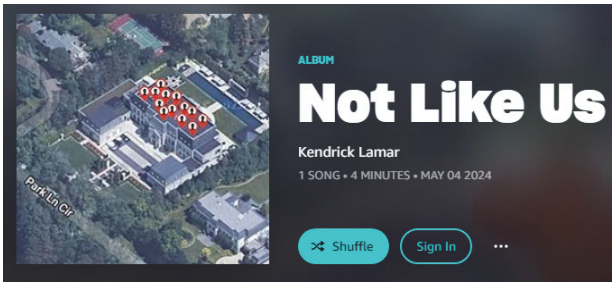


Image on Amazon Music:



[66] Song Details, *Not Like Us by Kendrick Lamar*, Universal Music Publishing Group, https://www.umusicpub.com/us/Digital-Music-Library/song/547780/kendrick-lamar-not-like-us [https://perma.cc/UDS2-D9J7?type=image].

[67] *Kendrick Lamar | Not Like Us on Instagram*, Instagram (May 4, 2024), https://www.instagram.com/reels/audio/1182175136281886/?igsh=Z3pvOWdxNGRxb3Vw (for use in Instagram users' Reels); *Kendrick Lamar | ♬ Not Like Us | on TikTok*, TikTok (May 4, 2024), https://www.tiktok.com/t/ZTNvgJGCM/ (for use in TikTok user's videos).

64. The Image features an aerial view of Drake's Toronto home, includes identifying information regarding the location of the home, and is covered in the icons used by law enforcement and public safety applications like Citizen to identify child sex offenders and their residences on public registries.

65. As of the date of this filing, UMG's original publications of the Recording and Image remain available on the aforementioned platforms.

66. At all relevant times, UMG knew that the allegations in the Defamatory Material were baseless. And despite being able to contact Drake, at no point has UMG ever asked Drake or his representatives about whether the allegations in the Defamatory Material were true.

67. On information and belief, Sir Grainge and Mr. Janick were involved in the initial publication of the Recording and Image. Separately, on information and belief, Monte and Avery Lipman (Republic CEO and President, respectively) failed to prevent the publication.

B. *The Defamatory Material Is False.*

68. The allegations against Drake are unequivocally false. Drake has never been charged with, indicted for, or convicted of any charges of sexual violence or assault, including, but not limited to, sexual violence against a minor. Nor has Drake ever engaged in an inappropriate romantic or sexual behavior with a minor.

69. The Recording provides no evidentiary support for any of its defamatory allegations. Instead, the Recording opaquely references "hearing" these allegations and threatens that it can "go further."

C. *Drake Publicly Denies the Defamatory Material.*

70. On May 5, 2024, just a day after UMG published the Recording and Image, Drake denied all of the allegations in a song called "The Heart Pt. 6."[68] Drake explained that he has "never been with no one underage" and that his name is not on the "sex offender list."[69]

71. Despite being able to contact Drake, UMG did not ask Drake or his representatives to discuss his denials of the allegations contained within the Defamatory Material.

D. *Drake Is the Target of Violence Almost Immediately.*

72. Within days after UMG's initial publication of the Recording and Image, which depicted the location of Drake's residence in Toronto, accused him of being a criminal pedophile, and called for violence against him, multiple strangers, including at least one armed with a deadly weapon, targeted Drake.

73. At 2:00 A.M. on May 7, 2024, a group of men drove by Drake's Toronto residence, screamed "Fuck Drake," and released at least two shots. One bullet went through the security fence and hit Drake's front door. Another bullet hit and seriously wounded Drake's security guard. Drake and others in the house rushed to the man's aid, trying to keep him from bleeding out while the ambulance came. The injuries he sustained were serious and, for two days, doctors were not sure if he would live.

74. The news quickly jumped on the story of the violent attack against Drake, with all the major news outlets publishing stories. For days news helicopters flew overhead the Toronto house. While no one from UMG ever reached out to Drake or any of his representatives to check on his well-being, UMG undoubtedly saw the press coverage of the attack.

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[68] Drake (@DrakeOfficial), *THE HEART PART 6 – DRAKE*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=HJeY-FXidDQ [https://perma.cc/K6P7-6YS5].

[69] *Id.* at 02:18-02:19, 02:49-02:52.

75. Also on May 7, 2024, across the globe in London, United Kingdom, Drake's OVO clothing store was vandalized with graffiti that read: "They not like us." The graffiti was likely viewed by hundreds of Carnaby Street passersby before the glass window could be removed and millions online once the news broke.

76. On May 8, 2024, a different invader attempted to break in to Drake's property by using his bare hands to dig under the security gate. The invader slid under the fence and entered the property, screaming racist slurs and threats toward Drake. The invader was apprehended by security before making it to the house.

77. On May 9, 2024, there was *another* trespasser on Drake's Toronto property, this time the trespasser got into a physical altercation with Drake's security guards before being taken away by the police. The individual returned to Drake's property on May 11, 2024.[70]

78. These acts of violence against his residence, where Drake lives with his son, and against his business, are not normal. In all the years he has been a celebrity, nothing like the events of early May has ever happened to Drake before. After these attacks, Drake reasonably fears for the safety of his family, and himself, particularly at his Toronto property. Following the May 7 shooting, Drake temporarily pulled his seven-year-old son out of school and the Toronto area.

79. Drake lives his life differently since UMG published the Defamatory Material. Drake has increased his security team in Toronto and everywhere he goes.

E. *UMG Continues to Defame Drake by Publishing the "Not Like Us" Music Video.*

80. On July 4, 2024, two months after UMG initially published the Recording and Image, and with knowledge of the actual violence and online threats that had already emerged,

[70] Trent Fitzgerald, *Drake's Security Confronts the Same Intruder for Second Time at His Toronto Estate*, XXL Magazine (May 11, 2024), https://www.xxlmag.com/drake-security-third-intruder-toronto-estate/ [https://perma.cc/GK54-7LPA].

UMG published a "Not Like Us" music video on YouTube[71] and to users of Apple Music[72] and Tidal.[73]

Video on YouTube:

81. On YouTube, a watermark for Vevo LLC appears in the bottom right of the Video.[74] The YouTube caption for the Video lists a Vevo LLC URL, http://vevo.ly/NcHpoC.[75] Universal Music is a significant owner of Vevo LLC ("Vevo"), which is a privately held American multinational music video-hosting service. Universal Music uses Vevo to distribute video content to global platforms, such as YouTube and major television networks.

82. The Video depicts images bolstering the Recording's defamatory allegations. For example, the lyrics "***Tryna strike a chord and it's probably A-Minor***" are matched with an image

[71] Video, *supra* note 5.

[72] Kendrick Lamar, *Not Like Us [Explicit], Kendrick Lamar*, Apple Music (July 4, 2024), https://music.apple.com/us/music-video/not-like-us/1755691074 [https://perma.cc/GR3L-PGWX].

[73] Kendrick Lamar, *Not Like Us*, TIDAL (July 4, 2024), https://tidal.com/browse/video/373513584 [https://perma.cc/8AZN-X2K9].

[74] Video, *supra* note 5.

[75] *Id.*

of hopscotch, a popular playground game for children.[76] The imagery reinforces the drawn-out singing of the "***A-Minor***" lyric and the lie that Drake is a pedophile.

83. Kendrick Lamar is depicted in front of shipping containers with air-conditioning units inside. These images are associated with sex trafficking.

84. The Video also includes allusions to Drake's OVO brand, which is represented by an owl. In combination with the lyrics "***Wop, wop, wop, wop, wop, Dot, fuck 'em up***," the Video

[76] *Id*. at 01:43-01:51.

shows Lamar beating an owl-shaped piñata with a bat.[77] During this scene, a caption appears at the bottom of the video that states: "DISCLAIMER: NO OVHOES WERE HARMED DURING THE MAKING OF THIS VIDEO."

85. In its conclusion, the Video depicts a prolonged shot of a live owl in a cage.[78] The meaning is clear: Drake belongs behind bars.

86. Defendant's initial publication of the Video on YouTube has been viewed more than 206 million times as of the date of this filing.[79] As of the date of this filing, UMG's original publications of the Video remain available on the aforementioned platforms.

87. On information and belief, each of Sir Grainge, Mr. Janick, Mr. Monte Lipman, and Mr. Avery Lipman played a key role in the initial publication of the Video either in directing or approving the publication and/or failing to prevent its publication.

[77] *Id.* at 01:36-01:42.

[78] *Id.* at 05:04-05:20.

[79] *Id.*

UMG PUBLISHED THE DEFAMATORY MATERIAL WITH KNOWLEDGE OF OR RECKLESS DISREGARD FOR ITS FALSITY AND KNOWLEDGE THAT IT WAS REASONABLY FORESEEABLE TO CAUSE DRAKE HARM

88. UMG does not believe now, nor has it ever believed, that Drake is a pedophile, a sex offender, or otherwise a criminal. Defendant published, republished, and promoted the Defamatory Material knowing the allegations were not true or, at least, with reckless disregard for its falsity.

89. UMG also published and promoted the false allegations against Drake despite the inherent improbability of the allegations, reliable contrary information, and awareness that they were unsupported by any evidence, let alone reliable evidence.

90. As an initial matter, UMG has a financial interest in knowing any potential liabilities that Drake had or could have—including criminal charges or convictions. As laid out in UMG's Code of Conduct, UMG is "committed to human dignity," does not tolerate "human rights abuses such as child labor, slavery, human trafficking and unsafe or unfair work practices at our operations," and only conducts "business with partners, suppliers and customers who share our commitment to protecting human rights."[80] UMG would not have contracted with Drake in the first instance, nor would it have continued to maintain existing contracts, had it believed at any relevant time that any of the allegations in the Defamatory Material were true in any respect.

91. UMG understands, and as is easily confirmed through basic public records searches, that Drake had never been charged with, indicted for, or convicted of any charges of sexual violence or assault, including, but not limited to, sexual violence against a minor.

92. Furthermore, UMG has access to Drake and could have asked him directly about the veracity of the allegations at any point in time.

[80] Universal Music Group, *Our Code of Conduct*, *supra* note 18, at 12.

93. UMG also knew or should have known that by publishing the Defamatory Material, it was gambling with Drake's safety. Critically, in addition to accusing Drake of being a criminal pedophile, the Defamatory Material calls for violence against Drake and depicts his Toronto address. Incidents like 2016's Pizzagate show how accusing someone of being a pedophile and/or of committing crimes against children can quickly spin out of control into a viral conspiracy theory and acts of real physical violence. UMG directly knows what harms can arise from such "outrageous allegations" of "criminal activity."[81] UMG and Sir Grainge were recently accused of aiding and abetting P. Diddy in committing heinous and widespread acts of sexual violence against minors. UMG and Sir Grainge acted swiftly to refute these allegations. In a court filing, Sir Grainge stated, "I do not take lightly being falsely and publicly accused of criminal activity, and as I said, I intend to pursue those who have made these outrageous allegations against me."[82]

94. Despite having knowledge of the violence that occurred at Drake's Toronto residence, as well as substantial online threats and vitriol directed at Drake, and notwithstanding having a direct line of communication to Drake, UMG did not discuss the Video with Drake prior to publishing it.

UMG ENGAGES IN A PUBLICITY CAMPAIGN TO ENSURE MAXIMUM SPREAD OF THE DEFAMATORY MATERIAL AND DECEIVE CONSUMERS

95. Since the initial publications on May 4 and July 4, 2024, UMG has utilized every weapon in its arsenal to ensure that the Defamatory Material spread to the maximum extent possible around the world.

[81] Declaration of Sir Lucian Grainge, *supra* note 14, at ¶ 15.

[82] *Id*.

A. *UMG Used Social Media to Promote the Defamatory Material and Market the Recording's "Popularity" to Consumers.*

96. In the months since the initial publications, and for months after it understood the harms Drake had suffered as a result of the Defamatory Material, UMG repeatedly posted the Defamatory Material to its social media accounts, including Interscope and UMPG accounts. At the time of this filing, UMG has a social media following of approximately 2.21 million on YouTube, 983,000 on Instagram, 712,000 on X, and 624,000 on Facebook.[83] At the time of filing, Interscope has a social media following of approximately 937,000 on YouTube, 756,000 on Instagram, and 560,000 on Facebook.

97. On June 9, 2024, Interscope reposted a tweet bragging that "Kendrick Lamar's 'Not Like Us' becomes the FASTEST rap song to reach 300M Spotify streams" in only "35 days."[84] The post features the Image side by side with a photo of Kendrick Lamar. The post has approximately 604,200 views.

interscope reposted
NFR Podcast
@nfr_podcast
Kendrick Lamar's 'Not Like Us' becomes the FASTEST rap song to reach 300M Spotify streams
It only took 35 days.
6:22 PM · Jun 9, 2024 · 604.2K Views

[83] These estimated follower totals exclude the social media accounts of related UMG entities, affiliates, and subsidiaries.

[84] Interscope (@interscope), X (Jun. 9, 2024), https://x.com/Interscope/status/1800258394382614977 [https://perma.cc/4W9P-8N5N].

98. On June 20, 2024, UMG posted a carousel of photos and videos to its official Instagram account, of Lamar performing the Recording at the Pop Out concert during which the Recording was played five times back-to-back. UMG captioned the post, "History was made. [fire emoji] cc: @kendricklamar"[85] and tagged Interscope.

99. That same day, UMPG posted videos from the Pop Out performance on its official Instagram, which has hundreds of thousands of followers,[86] Facebook page,[87] and TikTok.[88] The Facebook post included the main "Not Like Us" refrain from the Recording,[89] while the Instagram

[85] *See* Universal Music Group, (@universalmusicgroup), Instagram (June 20, 2024), https://www.instagram.com/p/C8c2ni6RqtF/?img_index=1 [https://perma.cc/7WUU-WCTG].

[86] Universal Music Publishing Group (@umpg), Instagram, https://www.instagram.com/umpg/ (last visited Jan. 14, 2025).

[87] Universal Music Publishing Group, Facebook, https://www.facebook.com/UMPG/ [https://perma.cc/6RYD-J96F].

[88] Universal Music Publishing Group, TikTok, https://www.tiktok.com/@universalmusicpublishing [https://perma.cc/EUK7-Y3ND].

[89] Universal Music Publishing Group, Facebook (June 20, 2024), https://www.facebook.com/reel/1033017875019038 (last visited Jan. 14, 2025).

and TikTok post published the "A-Minor" portion of the Recording.[90] On Instagram, UMPG captioned the video "THEY NOT LIKE US @KendrickLamar pops out with his debut performance of 'Not Like Us' at his Ken & Friends Pop Out Juneteenth concert in LA."[91] Similarly, on TikTok, UMPG boasted that the "Crowd goes wild for #KendrickLamar's debut performance of 'Not Like Us' at his Juneteenth 'Pop Out' concert at the Kia Forum in Los Angeles, CA."[92]

100. Greg Marella, President of Promotion and Executive Vice President of Capital, another UMG label, promoted the Pop Out concert on his personal Instagram page with the same photo posted by UMG.[93]

101. On July 5, 2024, Interscope promoted the Video on its Instagram account.[94] The carousel included images and a short clip of the Video with the caption "Not Like Us. Out Now."

102. On July 8, 2024, UMPG posted a GIF from the Video on its X account encouraging people to watch the Video: "TELL US: What was your favorite moment from @kendricklamar's "Not Like Us" music video? ↳https://youtu.be/H58vbez_m4E."[95]

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[90] Universal Music Publishing Group (@umpg), Instagram (June 20, 2024), https://www.instagram.com/p/C8cwMUpvfCH/ [https://perma.cc/6K74-X49H]; Universal Music Publishing Group, TikTok (June 20, 2024), https://www.tiktok.com/t/ZTNtE5UaY/ [https://perma.cc/KQE2-FCUX].

[91] Universal Music Publishing Group (@umpg), Instagram (June 20, 2024), https://www.instagram.com/p/C8cwMUpvfCH/ [https://perma.cc/6K74-X49H].

[92] *See* Universal Music Publishing Group, TikTok (June 20, 2024), https://www.tiktok.com/t/ZTNtE5UaY/ [https://perma.cc/KQE2-FCUX].

[93] Greg Marella (@gregmarella), Instagram (June 20, 2024), https://www.instagram.com/p/C8bXzffOpcf/?hl=en [https://perma.cc/YPL5-HHG9].

[94] Interscope (@interscope), Instagram (July 5, 2024), https://www.instagram.com/p/C9DhFTpS7yG/?img_index=1 [https://perma.cc/H6A2-YE2W].

[95] Universal Music Publishing Group (@umpg), X (July 8, 2024), https://x.com/UMPG/status/1810426132736438584 [https://perma.cc/CLL2-CWJR].

103. On July 15, 2024, Interscope reposted two X posts, including one from Complex, regarding a fan's creation of a "Not Like Us" video game.[96] The posts depict images from the video game which emulate the scene from the Video in which an owl-shaped piñata is beaten with a bat and ultimately destroyed. The posts together have 3.5 million views.

104. On July 16, 2024, Interscope reposted on X that the Recording had become "the bestselling rap song of 2024 in the US."[97]

105. On July 24, 2024, UMG posted on its X account, about the Recording charting as the "most-streamed song" of the week.[98]

106. On August 29, 2024, UMG posted on X with a link to a Spotify "Summer Hits 2024 playlist" with a caption boasting that the Recording was a "Song of the Summer."[99]

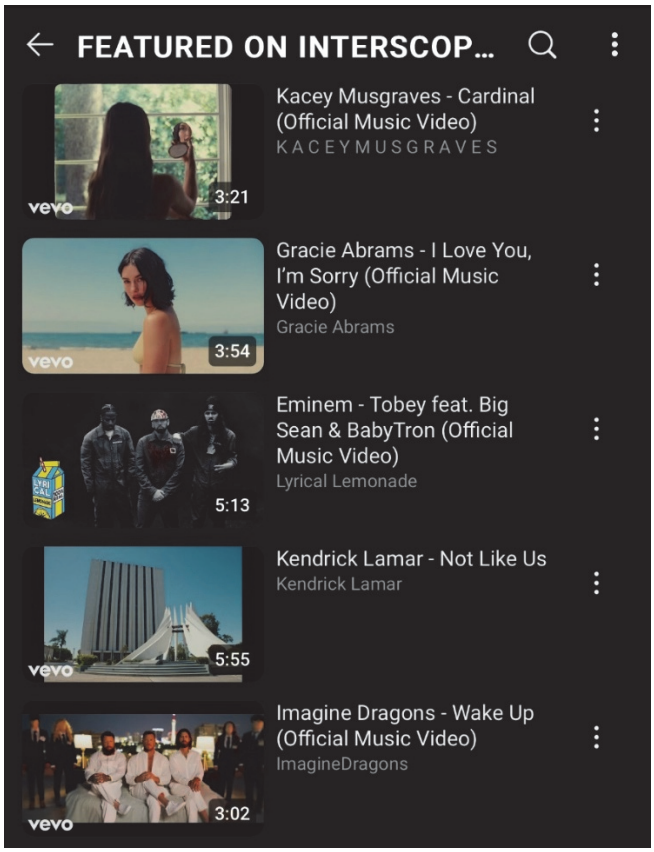
[96] *See* Interscope (@interscope), X (July 15, 2024), https://x.com/Interscope/status/1813282352694743250 [https://perma.cc/Q4QH-AYY9]; Interscope (@interscope), X (July 15, 2024), https://x.com/Interscope/status/1813281639277162682 [https://perma.cc/6Q57-F97N].

[97] Interscope (@interscope), X (July 16, 2024), https://x.com/Interscope/status/1813282022753988707 [https://perma.cc/BB25-S2T9].

[98] Universal Music Group (@umg), X (July 24, 2024), https://x.com/UMG/status/1816159700297343062 [https://perma.cc/MY9M-QVD9].

[99] Universal Music Group (@umg), X (Aug. 29, 2024), https://x.com/UMG/status/1829214002687381505 [https://perma.cc/PJ99-44TD].

107. On its YouTube Channel, Interscope curates playlists of recommended music videos for fans. As of the date of this filing, the Video is featured on the label's music video playlist.[100]



108. On November 8, 2024, following an extensive publicity campaign launched and managed by UMG, the Recording Academy nominated the Recording for several Grammy Awards, including the top awards for Record of the Year, Song of the Year, Best Rap Performance, and Best Rap Song, and nominated the Video for Best Music Video.[101] Following the release of

[100] Interscope Records (@InterscopeGeffenAM), *"FEATURED ON INTERSCOPE" Playlist*, YouTube, https://www.youtube.com/playlist?list=PLJzLTReoSNQS698_Vhj1uLLiualhVrg3w [https://perma.cc/D8VY-TPHG].

[101] Nina Frazier, *2025 GRAMMYs: See The OFFICIAL Full Nominations List*, Grammy.com (Nov. 8, 2024), https://www.grammy.com/news/2025-grammys-nominations-full-winners-nominees-list [https://perma.cc/ME87-NSHZ] (Music producer Dijon Isaiah McFarlane, known professionally as Mustard, also received a nomination for Producer of the Year, Non-Classical, for his work on the Recording).

the nominations, Interscope posted a congratulatory message on its Instagram.[102] UMG also posted on Instagram and X bragging about the nomination for Song of the Year.[103]

B. *UMG Used its Ownership Interests to Promote the Defamatory Material.*

109. On information and belief, UMG used its stake in Complex,[104] a global youth entertainment network, to further promote the Defamatory Material.

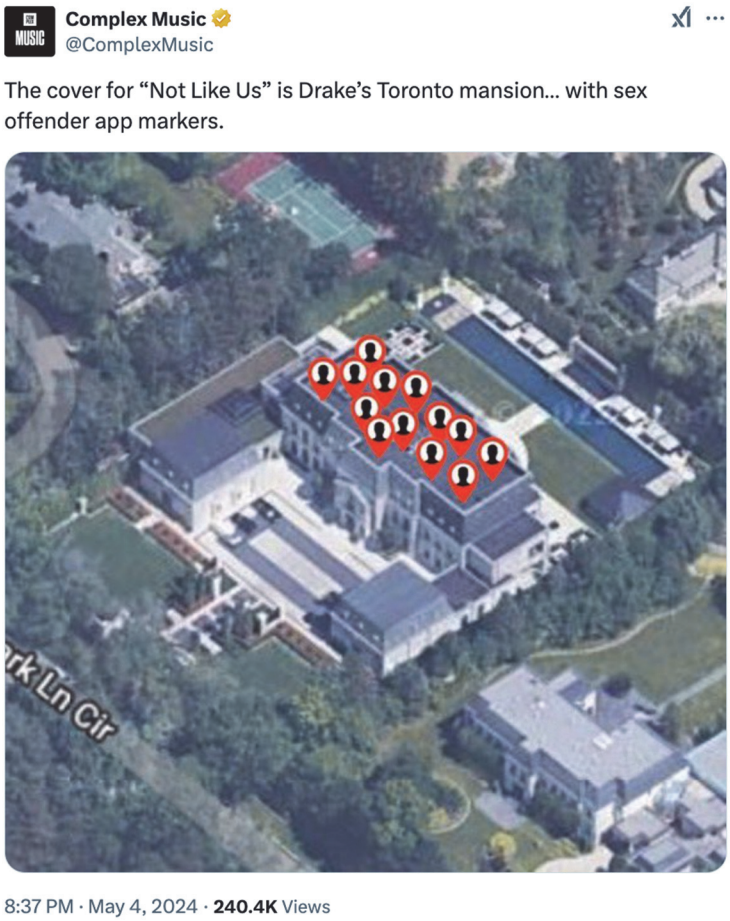
110. Between May 5, 2024 and the date of this filing, Complex has published at least 50 articles about "Not Like Us" and posted about the Recording hundreds of times across its website and social media accounts.

[102] Interscope Records (@interscope), Instagram (Nov. 8, 2024), https://www.instagram.com/p/DCIKBoBR9ja/.

[103] Universal Music Group (@universalmusicgroup), Instagram (Nov. 8, 2024), https://www.instagram.com/p/DCHtaKxxtpx/?hl=en&img_index=1; Universal Music Group (@universalmusicgroup), Instagram (Nov. 8, 2024), https://www.instagram.com/reel/DCHws9LRKIi/?hl=en; Universal Music Group (@umg), X (Nov. 8, 2024), https://x.com/UMG/status/1854958452860223524 [https://perma.cc/6HA2-JTZJ].

[104] Press Release, *NTWRK Acquires Complex to Build Next Generation Content and Shopping Experience*, Universal Music Group (Feb. 21, 2024), https://www.universalmusic.com/ntwrk-acquires-complex-to-build-next-generation-content-and-shopping-experience/ [https://perma.cc/RWX6-CH2W].

111. On May 4, 2024, Complex tweeted a photo of the Image and described it for what it was: "The Cover for 'Not Like Us' is Drake's Toronto Mansion… with sex offender app markers."[105]


Complex Music
@ComplexMusic
The cover for "Not Like Us" is Drake's Toronto mansion... with sex offender app markers.
8:37 PM · May 4, 2024 · 240.4K Views

112. On July 5, Complex published an article titled "Decoding Kendrick Lamar's 'Not Like Us' Video" and another titled "Every Reference in Kendrick Lamar's 'Not Like Us' Video."[106] The articles describe in detail the Recording's defamatory allegations against Drake.

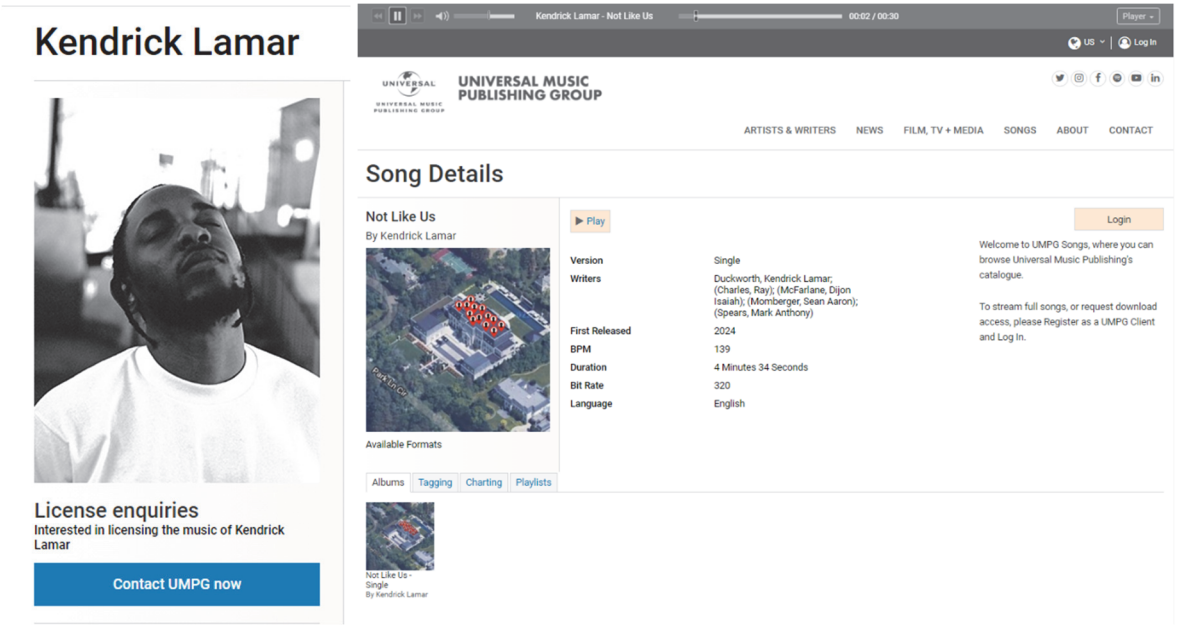
[105] Complex Music (@ComplexMusic), X (May 4, 2024), https://x.com/ComplexMusic/status/1786918037045555626?lang=en [https://perma.cc/4UCU-88TH].

[106] Miki Hellerbach, *Decoding Kendrick Lamar's "Not Like Us" Video*, Complex (July 5, 2024), https://www.complex.com/music/a/complex/kendrick-lamar-not-like-us-video-decoding-hidden-meanings [https://perma.cc/XWT8-CKN7]; Joe Price, *Every Reference in Kendrick Lamar's "Not Like Us" Video*, Complex (July 5, 2024), https://www.complex.com/music/a/backwoodsaltar/every-reference-not-like-us-video-kendrick-drake

113. On information and belief, Universal Music also used its ownership interest in Vevo to over-index the Video on the platform. Put differently, Vevo boosted the visibility of the Video relative to others in order to disproportionately increase its overall views, engagement, and performance on charts.

C. *UMG Granted Licenses to Promote the Defamatory Material.*

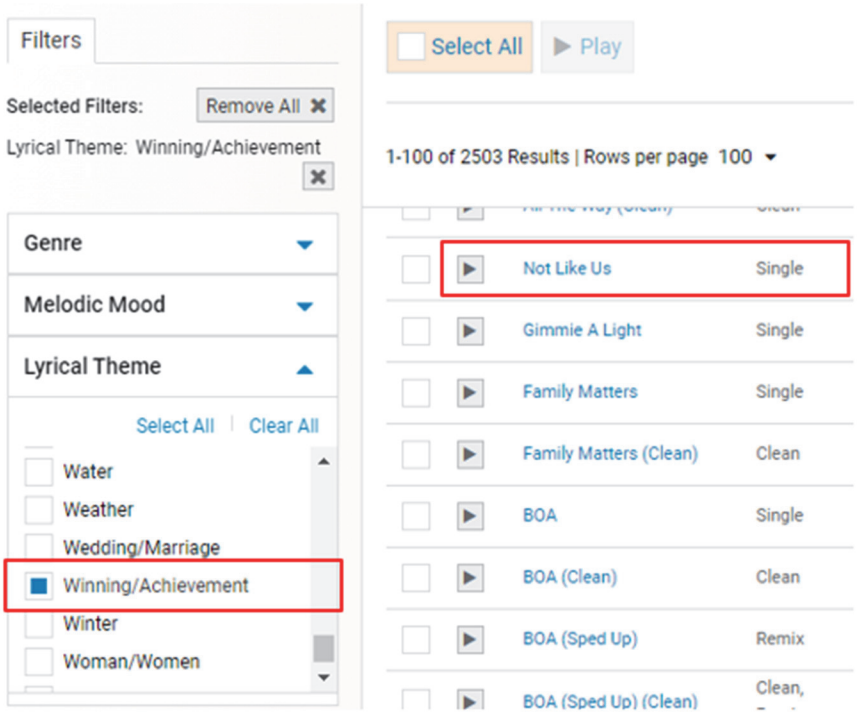
114. UMG also used its global publishing division, UMPG, to license the Defamatory Material for broader use and consumption. Since the Recording's release, UMPG has listed the Recording on its website for licensing on television and in film.[107]



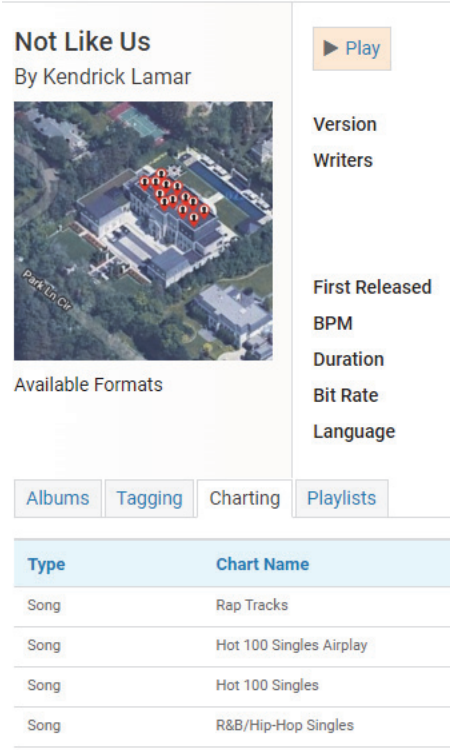
[https://perma.cc/W5N4-WRRH].

[107] *Song Details – Not Like Us by Kendrick Lamar*, Universal Music Publishing Group, https://www.umusicpub.com/us/Digital-Music-Library/song/547780/kendrick-lamar-not-like-us [https://perma.cc/UDS2-D9J7?type=image]; *Kendrick Lamar*, Universal Music Publishing Group, https://www.umusicpub.com/us/Artists/K/Kendrick-Lamar.aspx [https://perma.cc/VCH4-84TV?type=image].

115. On the UMPG website, third parties seeking to license songs for audiovisual publications can filter by genre, chart-topping songs, and themed playlists. UMPG markets the Recording as having a "winning/achievement" "lyrical theme."



116. UMG further promotes the Recording for licensing by listing its success on the music charts. For example, on UMPG's website, a third party could search for songs in the Hot 100 Singles.



117. UMG also curates themed playlists on UMPG's website for marketing purposes. The Recording is currently featured on the "Winner's Circle" playlist with 26 other songs that can be licensed.[108]

118. As a result of its marketing efforts, UMG has repeatedly licensed the Recording to be performed publicly and published on other platforms. For example, on June 19, 2024, the Recording was performed five times in a row at a concert in Inglewood, California[109] to a crowd

[108] *Winner's Circle Playlist*, Universal Music Publishing Group, https://www.umusicpub.com/us/Digital-Music-Library/playlist/72885/-winners-circle (last updated Dec. 18, 2024).

[109] Michael Saponara, *Kendrick Lamar Performs Drake Diss Track 'Not Like Us' 5 Times Back-to-Back at Pop Out Concert*, Billboard News (June 20, 2024), https://www.billboard.com/music/rb-hip-hop/kendrick-lamar-performs-not-like-us-five-times-la-show-1235714258/ [https://perma.cc/D7FL-H9M8].

of approximately 16,000 attendees[110] and a live stream of over 186,000 viewers on Amazon's Prime Video and Twitch.[111] The livestream broke Amazon Music's streaming record for the most minutes watched of any Amazon Music production ever across Prime Video and Twitch.[112] In the three days following the concert, Kendrick Lamar received nearly 61 million combined official on-demand U.S. streams.[113] The Recording represented approximately 21 million of those combined streams—a 62% increase from the three-day period preceding the concert.[114] This republication on June 19, 2024, and its subsequent republication on streaming platforms, reached more than 21 million people, and could not have occurred without UMG's explicit permission.

119. UMG subsequently made the live performance of the Recording available to be played on the radio.[115] And radio stations played it.

120. UMG has also leveraged its existing licensing agreements with TikTok and Meta to make the Recording and Video available to users of those platforms.[116] As of the date of this

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[110] Taijuan Moorman, *Kendrick Lamar performs Drake diss 'Not Like Us' 5 times at Juneteenth 'Pop Out' concert*, USA Today (June 20, 2024), https://www.usatoday.com/story/entertainment/music/2024/06/20/kendrick-lamar-concert-pop-out-ken-and-friends-livestream-juneteenth/74154407007/ [https://perma.cc/Z55R-ZQJR].

[111] Steven J. Horowitz, *Kendrick Lamar's 'The Pop Out – Ken and Friends' Concert in Los Angeles to Stream Live on Amazon Music*, Variety (June 7, 2024), https://variety.com/2024/music/news/kendrick-lamar-the-pop-out-ken-and-friends-livestream-amazon-music-1236029181/ [https://perma.cc/DL6H-TA8U].

[112] Sophie Caraan, *Amazon Music Releases Live Performance Video of Kendrick Lamar's "Not Like Us"*, Hypebeast (June 21, 2024), https://hypebeast.com/2024/6/kendrick-lamar-breaks-amazon-music-record-not-like-us-live-video-stream [https://perma.cc/8NN7-XDD5].

[113] Andrew Unterberger, *Kendrick Lamar, Entire Black Hippy Crew and Mustard & Friends All Up in Streams After Juneteenth 'Pop Out' Concert*, Billboard (June 26, 2024), https://www.billboard.com/music/chart-beat/kendrick-lamar-juneteenth-pop-out-not-like-us-trenidng-up-1235718243/ [https://perma.cc/M76T-J64J].

[114] *Id.*

[115] Bryson Paul, *California Radio Adds Live Version Of "Not Like Us" To Rotation*, Hot 97 (July 11, 2024), https://www.hot97.com/news/california-radio-adds-live-version-of-not-like-us-to-rotation/ [https://perma.cc/PW48-S8DM].

[116] *See* Etan Vlessing, *Meta, Universal Music Group to Allow Users to Share Songs on WhatsApp*, Hollywood Reporter (Aug. 12, 2024), https://www.hollywoodreporter.com/business/business-news/meta-universal-music-group-whatsapp-songs-1235972143/ [https://perma.cc/87HH-EJH8] ("As part of the agreement renewal, UMG artists and songwriters will receive a slice of advertising revenue from the use of licensed music on Meta creator posts."); Etan Vlessing, *Universal Music Group CEO on New TikTok Deal: 'Human Artistry Must Be Respected,'* Hollywood

filing, the Recording had been used in over 1,300,000 videos on TikTok. More than 100 TikToks using the Recording have been viewed at least 2 million times each, with many being viewed tens of millions of times.[117] In total, 125 popular TikToks have been viewed over 1 billion times.[118] And as of the date of this filing, the Recording has been used in over 616,000 reels on Instagram.[119]

121. UMG also granted licenses for the Recording to be played at sporting events, award shows, and political rallies. The Recording has been played and broadcasted on television during coverage of games for the MLB, NBA, and WNBA. The Recording also played during the July 2024 ESPY awards, an annual award ceremony that honors the top athletes and sports performances of the year.

122. During a July 20, 2024 campaign rally for Vice President Kamala Harris in Atlanta, Georgia, the DJ played the Recording to the live crowd. Video footage showing the crowd singing along to the lyrics "***Certified Lover Boy? Certified pedophiles***" and "***Tryna strike a chord and it's probably A-minor***" quickly went viral on social media.[120]

123. The Recording also played during the highly anticipated roll call vote for President during the Democratic National Convention. The Recording blared in the United Center as

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Reporter (May 2, 2024), https://www.hollywoodreporter.com/business/business-news/universal-music-tiktok-deal-1235888711/ [https://perma.cc/4CQX-VZBT].

[117] *See* Exhibit B; *see also Not Like Us*, TikTok, https://www.tiktok.com/music/Not-Like-Us-7365349431086401552 [https://perma.cc/DQB8-LKP9].

[118] *Id*.

[119] *Reels Audio - Not Like Us*, Instagram Reels, https://www.instagram.com/reels/audio/1182175136281886/not-like-us/ (last visited Jan. 14, 2025) (page also preserved offline).

[120] Spotless victim (formerly User the psycho of violence) (@santana_abraxas), X (July 30, 2024), https://x.com/santana_abraxas/status/1818426483586548080 [https://perma.cc/7P4H-VVNZ] (emphasis added).

California's Governor Gavin Newsom cast the state's delegates.[121] The convention was reportedly viewed by approximately 20 million people across 12 television networks.[122]

124. The Recording also became the postseason anthem for the Los Angeles Dodgers' playoff run and eventual 2024 World Series victory. The Dodgers had featured the Recording in a hype video posted to their official YouTube page.[123]

125. Lamar is set to headline the Apple Music Super Bowl LIX Halftime Show in New Orleans on February 9, 2025, which will be broadcasted on FOX. On information and belief, UMG conferred financial benefits and leveraged existing business relationships to secure the headliner-spot at the Super Bowl.

D. *UMG Made Covert Payments to Third Parties to Deceive Consumers.*

126. In addition to publishing, marketing, and licensing the Defamatory Material, on information and belief, UMG also put a thumb on the scale by providing covert financial incentives to third parties to further spread the lies against Drake.

i. *UMG Caused Third Parties to Fake Streams.*

127. UMG, directly or through its agents, conspired with and paid currently unknown parties to use "bots" to artificially inflate the spread of the Recording on Spotify. Bots are software programs designed to mimic human behavior to appear to be real social media accounts. One

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[121] C. Mandler, *The DNC roll call featured a musical salute to each state. Here's what your state chose*, NPR (Aug. 21, 2024, 10:06 AM), https://www.npr.org/2024/08/21/g-s1-18188/democratic-national-convention-roll-call-music-state [https://web.archive.org/web/20241130003518/https://www.npr.org/2024/08/21/g-s1-18188/democratic-national-convention-roll-call-music-state]; *see also* GreatLakesLiberal (@GreatLakes32nd), X (Aug. 20, 2024), https://x.com/GreatLakes32nd/status/1826064516112585093 [https://perma.cc/9Q2V-MBBN].

[122] Selome Hailu, *Democratic National Convention Viewership Keeps Steady with 20.2 Million Viewers on Third Night*, Variety (Aug. 21, 2024), https://variety.com/2024/tv/news/dnc-ratings-viewers-1236112994/ [https://perma.cc/EQH3-4KBU].

[123] *See* Cole Blake, *LA Dodgers Use Kendrick Lamar's "Not Like Us" As Anthem For Postseason*, Hot New Hip Hop (Oct. 6, 2024), https://www.hotnewhiphop.com/848710-la-dodgers-kendrick-lamars-not-like-us-anthem-postseason-hip-hop-news [https://perma.cc/D78R-6AKK].

individual whose identity is unknown to Plaintiff revealed publicly on a popular podcast that Kendrick Lamar's "label" (i.e., Interscope) paid him via third parties to use "bots" to achieve ***30,000,000 streams*** on Spotify in the initial days following the Recording's release with the goal of "jumpstarting" its spread and turning it into "a crazy hit" on the platform.[124] UMG's desire to jumpstart the Recording's popularity is unsurprising because streams beget more streams. Songs identified as top-streamers land on "most popular" lists and playlists, which leads to more streams (and therefore more licensing requests, more purchases, more partnerships, and ultimately, more money for UMG).

128. The whistleblower described Spotify as the easiest platform "to bot" because it does not, like other streaming platforms, have certain security measures "when it comes to bot protection."[125] The whistleblower further revealed that, on May 6, 2024, an individual affiliated with Interscope sent him a payment of $2,500 via the digital payment platform Zelle, and that he was promised another $2,500 and a percentage of the Recording's total sales for the initial push.[126]

129. "Fake" streams are a well-known problem across the music industry. In 2023, *The Financial Times* reported that experts estimated that as much as 10 percent of all music streams are "fake" or derived from bots and streaming farms,[127] where devices run services like Spotify and other streaming platforms on loop.[128] Universal Music, Spotify, and Apple Music, among

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[124] Jambisco Don (@JambiscoDon), *Kendrick Lamar EXPOSED by DJ Akademiks and HACKER Epic for BOT streams*, YouTube (June 18, 2024), https://www.youtube.com/watch?si=PoazLqeHTyBePEiq&v=rcsW2wteW0c&feature=youtu.be [https://perma.cc/8QKB-MX9V].

[125] *Id.* at 14:15-14:23, 15:06-15:08.

[126] *Id.* at 04:14-04:33, 06:52-07:02, 34:36-35:12.

[127] For a video of what a streaming farm allegedly looks like, *see* Now This, TikTok (Apr. 5, 2024), https://www.tiktok.com/@nowthis/video/7354493993964539178 [https://perma.cc/5FV9-F5Z9].

[128] Anna Nicolaou, *The incredible resilience of the music industry*, Financial Times (Sept. 8, 2023), https://www.ft.com/content/b85ab5af-bd03-4da8-971a-316e7c7897dc [https://perma.cc/S6LP-R223].

others, participated in a study at the request of the French parliament, which found that between 1 billion and 3 billion fake streams took place on popular music platforms in 2021.[129]

130. Publicly, Spotify has stated that it is aware of the issue of bots on its platform and is actively working to address it. In response to Drake's pre-litigation filing in New York state court, Spotify explained that it "invests heavily in automated and manual reviews to prevent, detect, and mitigate the impact of artificial streaming on its platform."[130]

ii. *UMG Offered Undisclosed Financial Incentives to Promote the Recording.*

131. On information and belief, UMG also offered financial incentives, including direct payments and reduced licensing rates, to various third parties to promote the Recording. These financial benefits were never disclosed to consumers. According to confidential sources recently made known to Drake, certain UMG labels have engaged in pay-for-play arrangements with radio and streaming services to boost the popularity of specific songs, and used bots to artificially inflate streaming numbers.

132. Drake has also received information that UMG engaged in a classic pay-for-play scheme by paying to increase the air play of the Recording on the radio, including radio stations in New York. Specifically, Drake has received information that at least one member of UMG's radio promotion team made payments to an independent radio promotor who agreed to transfer those payments to radio stations and/or radio station employees in exchange for those radio stations

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[129] *Study: Stream Manipulation*, at 46, Ctr. Natl De La Musique (2021), https://cnm.fr/wp-content/uploads/2023/01/2023_-CNM-_Manipulation-des-streams_ENG.pdf [https://perma.cc/B8WH-7GCR]; *see also* Morgan Meaker, *One Man's Army of Streaming Bots Reveals a Whole Industry's Problem*, Wired (Mar. 21, 2024), https://www.wired.com/story/streaming-bots-spotify/ [https://web.archive.org/web/20250114134159/https://www.wired.com/story/streaming-bots-spotify/].

[130] *See* Spotify USA, Inc.'s Memorandum of Law in Opposition to Verified Petition at 5 n.5, *In the Matter of the Application of, FROZEN MOMENTS, LLC et al.*, Docket No. 161023/2024 (N.Y. Sup. Ct. Dec. 20, 2024). Spotify represented that it "found no evidence to substantiate" that bots streamed the Recording 30 million times in the days after initial publication.

playing the Recording. On information and belief, this practice was more widespread than one member of the UMG radio promotion team. This "pay to play" practice, known as "payola," is prohibited by the Communications Act of 1934 (*see* 47 U.S.C. §§ 317, 508), and has been the subject of regulatory scrutiny by a number of Executive agencies.[131]

133. In 2006, UMG agreed to pay $12 million in a settlement with the New York Attorney General following an investigation involving accusations that UMG executives had used a broad array of "pay for play" tactics to secure radio airplay for music.[132] In connection with UMG's settlement, the then-New York Attorney General explained, "Consumers have a right not to be misled about the way in which the music they hear on the radio is selected."[133] He continued: "Pay-for-play makes a mockery of claims that only the 'best' or 'most popular' music is broadcast."[134] Separately, in 2005, UMG was sued by two radio promotion companies alleging fraudulent pay-for-play practices.[135]

134. It remains an open secret within the music industry that power players, like UMG, are continuing to engage in payola. In November 2024, New York radio deejay FunkMaster Flex released an alleged pricelist for payola on radio stations: $350,000 for pop radio, $250,000 for

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[131] Payola in the music industry remains a top priority for the federal government. For example, in January 2020, the Federal Communications Commission sent a letter to three music companies, including Universal Music Group, seeking prompt information regarding each company's practices to prevent payola, any payola violations, and arrangements for promoting music on the radio. Letter from Comm'r of Fed. Comm. Comm'n to Sony Music Ent., Warner Music Grp. & Universal Music Grp. (Jan. 16, 2020), https://docs.fcc.gov/public/attachments/DOC-361998A1.pdf [https://perma.cc/5CH4-R2GL].

[132] Jeff Leeds, *Universal Music Settles Big Payola Case*, N.Y. Times (May 12, 2006), https://www.nytimes.com/2006/05/12/business/12payola.html?smid=url-share [https://web.archive.org/web/20240131004539/https://www.nytimes.com/2006/05/12/business/12payola.html].

[133] *Universal Music Group settles payola case*, NBC News (May 11, 2006), https://www.nbcnews.com/id/wbna12740147 [https://web.archive.org/web/20220501154735/https://www.nbcnews.com/id/wbna12740147].

[134] *Id.*

[135] *UMG Sued For Fraud*, Pollstar (Apr. 28, 2005), https://news.pollstar.com/2005/04/28/umg-sued-for-fraud/ [https://perma.cc/6QH7-T8K2].

"urban" radio, $100,000 for a mix show, and $3,000 to $5,000 per song for local DJs.[136] Other whistleblowers in the music industry have similarly confirmed the use of widespread payola, with some claiming to have proof.

135. On information and belief, UMG also provided financial incentives to streaming platforms to promote the Recording. On information and belief, UMG charged Spotify lower than usual licensing rates for the Recording in exchange for Spotify affirmatively recommending the Recording to users who are searching for other unrelated songs and artists.[137]

136. Third parties have documented strange recommendations in searches on Spotify. On July 3, 2024, a user posted a video on X of a man typing "Eminem" into Spotify's search engine and the Recording appearing as a suggested search result.[138] The user captioned the post, "It doesn't matter what you search on Spotify you'll see 'Not Like Us' pop up. Spotify picked their side, and their algorithm is proof."[139] Other users described similar experiences.[140]

137. Recommended songs, search results, and promoted playlists play a role in determining which music users will be exposed to and ultimately consume. An article discussing the harms of payola on music consumers describes that by including songs in suggested playlists,

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[136] Funk Flex !!!!! (@funkflex), X (Nov. 26, 2024), https://x.com/funkflex/status/1861538244279836877 [https://perma.cc/EMM7-4LDT]; Demicia Inman, *Funkmaster Flex Claims "Drake Is 100% Right" About Payola Following Accusations Against UMG, Spotify*, VIBE (Nov. 27, 2024), https://www.vibe.com/news/entertainment/funkmaster-flex-drake-right-about-payola-1234954728/ [https://perma.cc/V7AP-Q76N].

[137] Spotify has denied that UMG charged Spotify "licensing rates 30 percent lower than its usual licensing rates," but has not made any public statements regarding the veracity of allegations that UMG charged Spotify licensing rates at some other lower percentage on conferral of financial benefit through some other mechanism. *See* Spotify USA, Inc.'s Memorandum of Law in Opposition to Verified Petition, *In the Matter of the Application of, FROZEN MOMENTS, LLC et al.*, Docket No. 161023/2024 (N.Y. Sup. Ct. Dec. 20, 2024).

[138] Keep6ixsolid (@keep6ixsolid), X (July 3, 2024), https://x.com/keep6ixsolid/status/1808529064673837434 [https://perma.cc/N4GE-NKJC].

[139] *Id.*

[140] Dom (@Underrated_Dom), X (July 3, 2024), https://x.com/Underrated_Dom/status/1808662039352783355?mx=2 [https://perma.cc/4CJV-Y6LD].

Spotify and other streaming services "represent to the listening public that the song has been chosen because it is uniquely aligned to that listener's tastes or the playlist mood, and that the expert curator has judged the song to possess artistic excellence."[141]

138. On information and belief, UMG paid to use "bots" to stream the Video.

139. On information and belief, UMG employed a similar scheme by paying social media influencers to promote and endorse the Recording and Video. As just one example, Plaintiff understands that UMG paid, directly or indirectly, the popular NFR Podcast to promote the Recording and Video without disclosing the payment. As part of its deal with UMG, the NFR Podcast publicly published podcast episodes, tweets, and other content about the Recording.

140. On information and belief, UMG conferred financial benefits to Apple Inc. to have its voice-activated digital assistant "Siri" purposely misdirect users requesting other songs to instead stream the Recording.[142] Online sources reported that when users asked Siri to play the album "Certified Loverboy" by Drake, Siri instead played the Recording.[143]

iii. *UMG Took Other Unprecedented Steps to Promote the Defamatory Material.*

141. On May 4, 2024, UMG removed the Recording's copyright restrictions on YouTube and Twitch, thereby "whitelisting" the Recording.[144] On information and belief, this

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[141] Kasi Wautlet, *Playlists As Endorsements: An Argument for Continued Payola Regulation in the Internet Age*, 76 N.Y.U. ANN. SURV. AM. L. 821, 862 (2021); *see also* Christine Smith Burton, *'Playola' and Fraud on Digital Music Platforms: Why Legislative Action is Required to Save the Music Streaming Market*, 16 J. Bus. & Tech. L. 387, 390-92 (2021).

[142] *See* Armon Sadler, *Fans Discover Siri Plays Kendrick Lamar's "Not Like Us" On Spotify When They Ask For Drake's 'Certified Lover Boy'*, VIBE (July 11, 2024), https://www.vibe.com/news/entertainment/siri-not-like-us-spotify-certified-lover-boy-1234895147/ [https://perma.cc/N9Y7-G5BA].

[143] *Id*.

[144] Lavender Alexandria, *Kendrick Lamar Praised for Dropping Copyright Claims on Creators Discussing His New Songs*, Hot New Hip Hop (May 8, 2024), https://www.hotnewhiphop.com/798941-kendrick-lamar-cupyright-claims-removed-hip-hop-news [https://web.archive.org/web/20240720095554/https://www.hotnewhiphop.com/798941-kendrick-lamar-cupyright-claims-removed-hip-hop-news].

action was directed by Interscope's Executive Vice President and Head of Digital Marketing Ramon Alvarez-Smikle. This whitelisting was done purposely and with the full knowledge of UMG for the purpose of spreading the Recording, and its defamatory content, as broadly as possible and as quickly as possible.

142. UMG has a formal ban on whitelisting and had never before whitelisted a song on any platform, to Plaintiff's knowledge. In and around June 2024, UMG reinstituted the copyright restrictions on the Recording.

143. The effect of whitelisting the Recording was massive and immediate. Able to play the Recording in full in their own videos and to profit from them, content creators rushed to republish the Recording in "reaction-videos." As just a few examples:

- The CartierFamily, whose YouTube channel has 1.44 million subscribers, posted a video depicting the Image and using the Recording.[145] As of the date of this filing, the video has 2 million views.

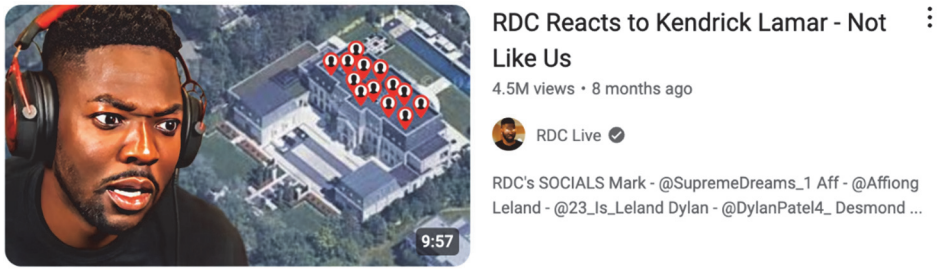
- Twitch streamer No Life Shaq posted a 14.5-minute clip of his reaction to the Recording on his YouTube channel, which has 4.75 million subscribers.[146] As of the date of this filing, the video has 5.3 million views.

[145] CartierFamily (@TheOfficialCartierFamily), *KENDRICK LAMAR - Not Like Us (REACTION!!!)*, YouTube (May 4, 2024), https://www.youtube.com/watch?v=6rsjobIbCtM [https://perma.cc/ESL8-LPYV].

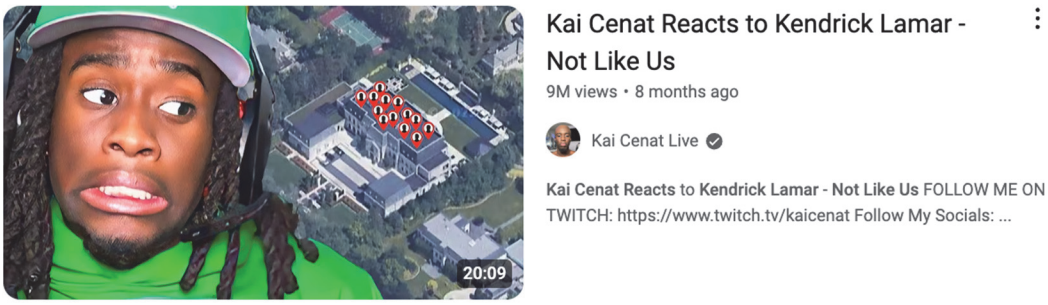
[146] No Life Shaq (@NoLifeShaq), *HE MADE A CLUB BANGER DISSTRACK! | KENDRICK LAMAR - Not Like Us (REACTION!!!)*, YouTube (May 4, 2024), https://www.youtube.com/watch?v=Nyk1cTp7YUw [https://perma.cc/R6VL-A5UY].

- Youtuber Zias! posted a 15-minute video of his reaction to the Recording on his YouTube channel, which has 4.94 million subscribers.[147] As of the date of this filing, the video has 6.6 million views.

- On May 5, 2024, Twitch streamer RDC Gaming posted his reaction by depicting the Image and using the Recording.[148] As of the date of this filing, the video has over 4.5 million views.


9:57
RDC Reacts to Kendrick Lamar - Not Like Us
4.5M views • 8 months ago
RDC Live
RDC's SOCIALS Mark - @SupremeDreams_1 Aff - @Affiong Leland - @23_Is_Leland Dylan - @DylanPatel4_ Desmond ...

- Twitch streamer Kai Cenat posted a 20-minute video of his reaction to the Recording on his YouTube channel, which has 11.6 million subscribers.[149] The video's thumbnail depicts the Image. As of the date of this filing, the video has over 9 million views.


20:09
Kai Cenat Reacts to Kendrick Lamar - Not Like Us
9M views • 8 months ago
Kai Cenat Live
Kai Cenat Reacts to Kendrick Lamar - Not Like Us FOLLOW ME ON TWITCH: https://www.twitch.tv/kaicenat Follow My Socials: ...

144. These content creators could not have legally republished the Defamatory Material in full or profited from their reaction videos without UMG first whitelisting the Recording.

[147] ZIAS! (@zias7937), *KENDRICK LAMAR - NOT LIKE US REACTION*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=gNBE0Mcsp9k [https://perma.cc/JZ77-6KHZ].

[148] RDC Live (@RDCLive1), *RDC Reacts to Kendrick Lamar - Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=0Kb4xLyPYgw [https://perma.cc/8LAD-7UPU].

[149] Kai Cenat Live (@KaiCenatLive), *Kai Cenat Reacts to Kendrick Lamar - Not Like Us*, YouTube (May 6, 2024), https://www.youtube.com/watch?v=iVelBKQvzx4&t=1s [https://perma.cc/9PX8-7GBR].

145. On information and belief, UMG also paid influencers on Instagram and X to post content about the Defamatory Material for the purpose of spreading the content to larger audiences.

E. *UMG's Media Campaign Successfully Spreads the Defamatory Material to Billions.*

146. UMG's campaign to spread the Defamatory Material was successful. On May 4, 2024, the Recording set a new record for the most single-day streams for a rap song in the U.S.—13 million in 24 hours.[150] Within the first week, the Recording debuted at No. 1 on the Billboard Hot 100 list, with 70.9 million official streams and 5 million radio airplay audience impressions.[151] Just one week later, the Recording broke the record for the most streamed song in a 7-day period—96 million streams.[152]

147. After UMG published the Video, the Recording returned to the No. 1 spot on the Billboard Hot 100.[153] In the week after the Video's publication, the Recording was streamed an additional 53.8 million times and played on the radio an additional 40 million times.[154] And from July 4 to August 8, 2024, the Video ranked first on YouTube's Weekly Top Music Videos chart.[155]

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[150] Perrin Kapur, *Kendrick Lamar's 'Not Like Us': All records broken so far*, Sportskeeda (May 15, 2024), https://www.sportskeeda.com/us/music/kendrick-lamar-s-not-like-us-all-records-broken-far [https://web.archive.org/web/20240612184633/https://www.sportskeeda.com/us/music/kendrick-lamar-s-not-like-us-all-records-broken-far].

[151] Gary Trust, *Kendrick Lamar's 'Not Like Us' Blasts In at No. 1 on Billboard Hot 100*, Billboard (May 13, 2024), https://www.billboard.com/lists/kendrick-lamar-not-like-us-hot-100-number-one-debut/not-like-us-no-1/ [https://perma.cc/TLZ3-M2EY].

[152] Cedric Thorton, *Kendrick Lamar's 'Not Like Us' Breaks Streaming Record, Passes Cardi B and Taylor Swift*, Black Enterprise (May 16, 2024), https://www.blackenterprise.com/kendrick-lamar-not-like-us-streaming-record/ [https://perma.cc/3PU3-WPDD].

[153] Gary Trust, *Kendrick Lamar's 'Not Like Us' Returns to No. 1 on Billboard Hot 100*, Billboard (July 15, 2024), https://www.billboard.com/lists/kendrick-lamar-not-like-us-number-one-second-week-hot-100/ [https://perma.cc/8S56-42CT].

[154] *Id.*

[155] *Weekly Top Music Videos*, YouTube Charts (Aug. 22, 2024), https://charts.youtube.com/charts/TopVideos/us/weekly [https://perma.cc/ALX7-ZVDS].

On August 6, 2024, the Video earned an MTV Video Music Award nomination for Song of the Year.[156]

148. The Recording has maintained its popularity in the months since. On October 7, 2024, Billboard reported that the Recording had reached "45.4 million in total audience impressions" on radio with "15 nonconsecutive weeks in charge of the R&B/Hip-Hop Airplay list."[157] And the Recording remains a "Top 40" hit on New York-based stations Z100 and Power 105.1.[158]

149. *Rolling Stone* reflected that "with its catchy beat and incendiary lyrics labeling Drake a pedophile, Kendrick Lamar's latest hit is arguably the biggest moment in music this year" and described the "vicious Drake diss" as "*inescapable*."[159] *Pitchfork* called the lyric "***Certified Lover Boy? Certified pedophiles***" the "defining lyric of the decade so far."[160]

150. The Defamatory Material has become ubiquitous—not just in the rap community, but in the community at large. It has been heard and/or viewed nearly 6 billion times.

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[156] Demicia Inman, *Kendrick Lamar's "Not Like Us" Nominated for Song of the Year at 2024 VMAs*, VIBE (Aug. 6, 2024), https://www.vibe.com/news/events/2024-vma-nominations-kendrick-lamar-1234903011/ [https://perma.cc/R5YR-NUFX].

[157] Trevor Anderson, *Kendrick Lamar's 'Not Like Us' Breaks Record for Most Weeks at No. 1 on Hot Rap Songs Chart*, Billboard (Oct. 7, 2024), https://www.billboard.com/music/chart-beat/kendrick-lamar-not-like-us-number-1-record-rap-songs-chart-1235794635/ [https://perma.cc/4XBV-SUQG].

[158] As of Jan. 4, 2025, the Recording has spent at least 24 weeks on the city's top radio stations' Top 40 charts. *See TOP 40 – January 4, 2025*, z100 NY (Jan. 4, 2025), https://z100.iheart.com/charts/top-40-238/january-4-2025/ [https://web.archive.org/web/20250111163459/https://z100.iheart.com/charts/top-40-238/january-4-2025/]; *Top 40 – January 4, 2025*, Power 105.1 (Jan. 4, 2025), https://power1051.iheart.com/charts/top-40-238/january-4-2025/ (last visited Jan. 14, 2025); *TOP 40 - November 16, 2024*, Power 105.1 (Nov. 16, 2024), https://power1051.iheart.com/charts/top-40-238/november-16-2024/ [https://perma.cc/6Y4W-Y3L2].

[159] Ethan Millman, *What's the Song of the Summer? Let's Do the Math*, Rolling Stone (July 28, 2024), https://www.rollingstone.com/music/music-lists/song-of-the-summer-1235061379/charli-xcx-360-1235063506/ [https://perma.cc/79AH-KT63] (emphasis added).

[160] *The 100 Best Songs of the 2020s So Far*, Pitchfork (Sept. 30, 2024), https://pitchfork.com/features/lists-and-guides/the-100-best-songs-of-the-2020s-so-far/ [https://web.archive.org/web/20250111164915/https://pitchfork.com/features/lists-and-guides/the-100-best-songs-of-the-2020s-so-far/].

151. As just a few examples of the content's broad reach, Joe Rogan discussed the Recording and allegations against Drake on his hugely popular podcast "The Joe Rogan Experience"[161] (with 14.5 million followers on Spotify alone as of March 2024)[162] as did NPR's podcast "Pop Culture Happy Hour."[163]

152. With every play, stream, listen, view, and mention, UMG has profited.

UMG PROMOTED THE DEFAMATORY MATERIAL WITH KNOWLEDGE OF OR RECKLESS DISREGARD FOR ITS FALSITY AND KNOWLEDGE THAT IT WAS REASONABLY FORESEEABLE TO CAUSE DRAKE HARM

153. Just as UMG knew that the allegations in the Defamatory Material were false at the time it first published the Recording, Image, and Video, *see supra* ¶¶ 88–94, UMG knew the allegations were false throughout its months-long campaign to promote the material, which continues through the date of this Complaint. UMG also promoted the Defamatory Material with full knowledge that Drake had already suffered significant harm and that additional harm to Drake was reasonably foreseeable.

154. UMG's relentless promotional campaign is more egregious in light of the fact that Drake has specifically informed UMG, repeatedly, of the falsity of the allegations and the harm he is suffering as a result.

155. On July 24, 2024, Drake (via counsel) sent a letter to Universal Music's General Counsel and Head of Litigation about the Recording, which explained that the Defamatory Material "falsely accused" Drake "of engaging in criminal acts, including sex trafficking,

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[161] *#2146 – Deric Poston*, The Joe Rogan Experience, Spotify (May 7, 2024), https://open.spotify.com/episode/6grygvRaF8UnhlXXpIdxPf [https://perma.cc/G2QV-CZ4B].

[162] Ashley Carman, *Spotify Reveals Joe Rogan's Podcast Numbers*, Bloomberg (Mar. 21, 2024), https://www.bloomberg.com/news/newsletters/2024-03-21/spotify-reveals-podcast-numbers-for-joe-rogan-alex-cooper-travis-kelce [https://perma.cc/F9P2-SSE6].

[163] Pop Culture Happy Hour, *We process the explosive Drake-Kendrick beef*, NPR (May 9, 2024), https://www.npr.org/transcripts/1197964460 [https://perma.cc/JK9R-RGED].

pedophilia, and/or other acts that would require registering as a sex offender." The letter made clear that UMG's actions were causing Drake concrete and substantial harm and specifically referenced the armed attack on Drake's Toronto house on May 7, 2024. The letter demanded UMG preserve its records in the event litigation was necessary, and cautioned that "UMG's involvement in perpetuating a false, inflammatory, and dangerous conspiracy theory about one of its own artists is shocking, and tortious under a variety of laws of both Canada and the United States."

156. Following a telephone call between counsel for the parties on July 31, 2024, UMG sent a letter to Drake's representatives, in which UMG represented that it understood its preservation obligations and warned that it "would be improvident" of Drake "to pursue these claims against UMG."

157. On August 1, 2024, Drake sent UMG another letter again emphasizing the harm to Drake, as well as his businesses, that UMG was causing by continuing to promote the Defamatory Material. The letter demanded UMG issue a retraction and accept its responsibility in promoting and marketing the Defamatory Material.

158. UMG's actions did not change. After receiving two notices from Drake about the falsity of the allegations and a description of the severe harm he suffered as a result, UMG took no steps to address the matter. To the contrary, UMG continued to promote and license the Defamatory Material, including through numerous social media posts boasting of the Recording's success, and negotiating and paying for the Recording to be nominated at the 2025 Grammys and played at the Super Bowl.[164]

[164] *See supra* ¶¶ 106–108, 125.

159. Throughout the summer and fall, Drake attempted to resolve these claims privately with UMG without resorting to litigation. UMG's own Code of Conduct required corrective action on UMG's part—that code states that UMG is "committed to a nonviolent workplace," and that "[h]arassment can take different forms, such as . . . speech that is threatening or abusive."[165] In its workplace, UMG prioritizes "[a]voiding abusive conduct, including verbal abuse and physical conduct that another person would find threatening or humiliating."[166] In his introductory comments to that Code of Conduct, Sir Grainge observes that integrity "means behaving honorably and with honesty. It means setting the right tone—in all that we do. We are accountable for the decisions we make and how we conduct ourselves."[167] Drake expected that UMG would live by its own principles in responding to the abusive conduct, threats, and violence he had experienced.

160. Yet, after weeks of delay, UMG declined to do *anything* to assist Drake, including even going so far as refusing to agree to mediate with Drake. UMG instead insisted that it bore no responsibility for the harm Drake had suffered, and represented that if Drake sued UMG, UMG would respond by bringing claims against Kendrick Lamar, and intimated that Drake would face public ridicule for the perception that he had sued another rapper.

161. At no point during any of these discussions did UMG ever suggest that it believed the allegations against Drake to be truthful or accurate.

162. As of the date of this filing, UMG continues to promote and license the Defamatory Material notwithstanding its plain knowledge of both the falsity and concrete harm to Drake. As of the date of this filing, UMG has not retracted any of the Defamatory Material or issued any

[165] Universal Music Group, *Our Code of Conduct*, *supra* note 18, at 10-11.

[166] *Id*.

[167] *Id*. at 2.

statements disclaiming the veracity of the Defamatory Material or apologizing to Drake for the harm it has caused.

163. UMG's actions are motivated, at least in part, by UMG's desire to best position itself in negotiations with Kendrick Lamar in 2024 and Drake in 2025. With respect to Lamar, on information and belief, UMG was incentivized to prove that it could maximize Lamar's sales—by any means necessary—after only being able to get him to sign a short-term exclusive contract. UMG wanted Lamar to see its value on an expedited timeframe in order to convince Lamar to re-sign exclusively and for a longer period of time. As to Drake, in 2024, his contract was nearing fulfillment. On information and belief, UMG anticipated that extending Drake's contract would come at a high cost to UMG; as such, it was incentivized to devalue Drake's music and brand in order to gain leverage in negotiations for an extension.

164. UMG's actions were also motivated by its executive incentive structure, which rewards Interscope executives, like Mr. Janick, for surpassing their division's annual projections, even if that success has a detrimental effect on an artist from another division, like Drake from Republic, and/or UMG overall.

165. On information and belief, Mr. Janick further was motivated to surpass Interscope's 2024 annual goals at the expense of Republic and Drake to position himself to be named as Sir Grainge's successor, a position for which Mr. Monte Lipman of Republic is also being considered.

UMG CAUSED DRAKE SUBSTANTIAL HARM BY PUBLISHING AND PROMOTING THE DEFAMATORY MATERIAL

166. UMG published or took part in publishing statements that assert or imply that Drake is a sex offender, pedophile, and sex trafficker, and engages in other sexual criminal acts that would require him to register as a sex offender. These claims are false and constitute defamation *per se*.

A. *Members of the Public Believe and Repeat the False Allegations.*

167. Members of the public have taken the allegations in the Defamatory Material to be statements of fact, even after Drake's public and private denials.

168. On April 30, 2024, less than a week before the release of the Recording, UMG released another song by Kendrick Lamar ("Euphoria") that threatened that he "won't tell truths 'bout" Drake if Drake "don't tell no lie about me,"[168] and ominously stated that he "know some shit" about Drake.[169] To the reasonable listener, any future allegations levied by Lamar against Drake would be based in "truth" and undisclosed fact, not rumor or opinion.

169. Immediately after the release of the Recording and Image, people all over the internet began repeating the allegations against Drake, believing them to be statements of fact. These posts number in at least the hundreds of thousands.

170. As one user put it: "**This isnt a diss, it's the truth**. The culture isnt just not fw [fucking with] with Drake, its correcting itself by kicking out these predators (Drake, Diddy etc)."[170] Another user wrote that the Recording is "telling the truth" about Drake being a "pedo."[171]

171. Other users echoed the same:

- "Drake has more than 800k dislikes on that song **cuz everybody believe he loves touching children** cuz we have evidence everywhere;"[172]

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[168] Kendrick Lamar (@kendricklamar), *Euphoria*, at 00:51-00:54, YouTube (Apr. 30, 2024), https://www.youtube.com/watch?v=NPqDIwWMtxg [https://perma.cc/E5NC-JC9B].

[169] *Id.* at 03:02-03:05.

[170] User @mrright8439, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 4, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=Ugye0CflEuIQFc1WdCx4AaABAg [https://perma.cc/Q2SH-PR7Q] (emphasis added).

[171] User @kaioken8026, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 11, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugx23-NZg6eB0Hspdt14AaABAg [https://perma.cc/39F6-26RR].

[172] User @itzmglo892, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 7, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugz5w9YjkanJST3x9KN4AaABAg.A37cQ9A2ziqA37jeqR4n-q [https://perma.cc/3LRV-FNB6] (emphasis added).

- "I LOVE THIS SONG!! **We would have never known Drake is a whole pedophile if this information wasn't exposed**!;"[173]

- "Respect and love you Kendrick for keeping it [100 emoji]. **From your tone, anger, and passion behind your words there is no doubt on my end that Drake is indeed a pedophile**;"[174] and

- "Kendrick just **exposed** drake of running with pedos n sex offenders. [I don't know,] **I don't think Kendrick is dumb to make false accusations**, I don't wanna assume without proof but shi ain't looking good for drake. Like I feel like he still holding some shi back and ain't sayin everything he knows bout drake."[175]

172. Many people reacted to the Image, which depicts Drake's Toronto residence and 13 sexual predator icons. One user asked: "**who are the 13 pedophiles at Park Lane Circle??** [eyes wide emoji] [eyes wide emoji]" demonstrating that they believed the Image to be accurately depicting who lived or spent time in the home.[176]

173. Others reacted similarly to UMG's initial publication of the Recording and Image to YouTube:

- "Just realized the **thumbnail is from the sexual predators app**;"[177]

[173] User @ZxZNebula (formerly @pareeshaslaughter6798), Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgxjAPntCJymjhPSKUR4AaABAg [https://perma.cc/ZUW3-6DYQ] (emphasis added).

[174] User @davidkwon1322, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 11, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgwRetHb_AixNVevbUp4AaABAg [https://perma.cc/72X5-2L9U] (emphasis added).

[175] User @nebula2582, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugy3GxrXDhB4FrdpL4l4AaABAg [https://perma.cc/5929-W5MN] (emphasis added).

[176] User @Eagle252, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 21, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=Ugw3GlxFm03VtNn8CmB4AaABAg [https://perma.cc/B5U9-HY44] (emphasis added).

[177] User @mnmsaregood1, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugx5fmeYbCAsOIjUV1F4AaABAg [https://perma.cc/F449-K7YE] (emphasis added).

- "Omg is that a sex offender map on drakes house;"[178]
- "NAH **THAT MANY PEDOS IN ONE SPOT IS CRAZYYYYYYYY** DRAKE CANCELED;"[179]
- "**Drake housing a bunch of pedos** at his house [nervous laughing with sweat emoji];"[180]
- "Yoooooo Sex offenders have to register **Red means sexual assault against a minor. Drake has 13 of them living in his house?**"[181] and
- "**Drakes pedo mansion** those are the markers used to show pedos that live next to you kids."[182]

174. People all over the internet also questioned why Drake had not yet been arrested and called for the police, the FBI, and the Central Intelligence Agency (CIA), as well as Child Protective Services (CPS), to investigate the statements in the Recording. On comments on UMG's initial publications of the Defamatory Material to YouTube, users commented:

- "The FBI needs to come at this point [laughing emoji];"[183]

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[178] User @pinkengineering (formerly @imcicily), Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgzH35b0IFiCS51IHJV4AaABAg [https://perma.cc/V2Z5-CR5F].

[179] User @Geni167, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugy73wSHQ38O1YYo84x4AaABAg [https://perma.cc/9KDG-RXJW] (emphasis added).

[180] User @Shakia-mi1og, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 17, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgwMgoIPSKsI516iTF94AaABAg.A3XNv8zVrnZA3XRS50IeSA [https://perma.cc/8NVP-UC9W] (emphasis added).

[181] User @mothernature5828, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 6, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgxwdAg-d_sYmcG_0Id4AaABAg [https://perma.cc/VK97-MP3D] (emphasis added).

[182] User @supersayian193, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 7, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugy_x-jK0HeBXZBeHCN4AaABAg.A39CQVU26nfA39Ce8tDLbA [https://perma.cc/265S-BHE2].

[183] User @WrestlingWarrior15, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 30, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgytLUYzg0IN6HDDkbh4AaABAg [https://perma.cc/WR5J-KX7G].

- "The caged owl. **Got me truly believing Kendrick know Drake going to prison possibly**;"[184]
- "hey kendrick don't diss drake it's waste of time **just call the cops** and snitching drake is pedophille so drake go to jail and you can win bye [thumbs up emoji];"[185]
- "Hide your children from Drake;"[186]
- "If what kendrick is saying is true, **drake needs to be locked up**;"[187]
- "Drake just need to be locked up;"[188]
- "Yo **Im about to call Child Proctective Services** because this is abuse;"[189]
- "Drakes #1 opp is child protected services;"[190]
- "**At this point, CIA and FBI need to step in**;"[191] and

[184] User @Leonard_Washington76, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 9, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgzEwjZukwgo_GGHnqZ4AaABAg [https://perma.cc/22TH-TVE6] (emphasis added).

[185] User @naive-u8f, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 6, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgzpsCFEw2wNtXO-mH54AaABAg [https://perma.cc/2X7B-UKHK] (emphasis added).

[186] User @kevinryt4963, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugwo7YQXyO6bZmAqW754AaABAg [https://perma.cc/CEU5-EKW5].

[187] User @meowmeow1234meow, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgyiEogmH8Ko5jqUZfR4AaABAg [https://perma.cc/2ENM-4L28] (emphasis added).

[188] User @saitherabbit, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 9, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgyC3ae8cvJNGi_Z7494AaABAg.A3C0TcZ0FxJA3C4-bWM6H- [https://perma.cc/RZ38-GBY9].

[189] User @loverunsdeep6382, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgxIrboIuH_WN61Qn-54AaABAg [https://perma.cc/LHU9-KY2E] (emphasis added).

[190] User @Ben10295, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugz30tyV7Su15LLOABN4AaABAg [https://perma.cc/8MCD-H4AK].

[191] User @NnewidiewiChukwu, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 17, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgwGvIubOjB_ZqaYyF14AaABAg [https://perma.cc/DAE3-KMGJ] (emphasis added).

- "I like the step this way step that way are we locked in, I picture drake getting locked behind bars."[192]

175. Some comments went so far as to specifically reference Drake's seven-year-old son by name: "It's scary if what Kendrick said is true about Drake .. mother of Adonis, save your child;"[193] "Adonis gets to play with the trapped kids in Drakes mansion when he does good;"[194] "I don't think Drake can even attempt to parent Adonis anymore [crying emoji];"[195] and in an especially vile post, "**I bet Drake touches Adonis too**."[196]

176. Many posters turned to racial and religious slurs against Drake, who is mixed race and Jewish. For example, users on YouTube and X commented:

- "Its drake that **pedojewboy**;"[197]
- "Drakes jew protection pedo team will get him off;"[198]

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[192] User @jthe9eleven11, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 7, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgyDl-LWP-L6cq5HwiB4AaABAg [https://perma.cc/D66Y-M72Y].

[193] User @Uh-no, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugwho8upBcUYyhZj8Zx4AaABAg [https://perma.cc/G6P2-MNZ8].

[194] User @chillbloc, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 6, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgyWti6FnAy1qD851Tt4AaABAg [https://perma.cc/X88Y-8WXY].

[195] User @DarthD13, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgzbkuT5VTQlho-wiG94AaABAg [https://perma.cc/9RQV-DFWQ].

[196] User @a3lzv, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (June 1, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgxtEiWIm99WHc8NKed4AaABAg [https://perma.cc/EB2G-ZUPN] (emphasis added).

[197] User @drpuffnstuff5672, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgwUebwBrfII3ODMqqp4AaABAg.A3BSskE0bxYA3BUxB3n0HY [https://perma.cc/5KEM-T7AN] (emphasis added).

[198] User @user-qk9he7se5w, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 25, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugxr1AwronL0IuGi3fx4AaABAg [https://perma.cc/AS6V-LEJA].

- "I'll say it..... **Them jews are the colonizers.... That's who Drake represent**..... We got to take our music back from those DEVILS.....;"[199]

- "**On a deeper level they not like us,. Understand Drake is a Kazarian Jew.** If you know the history you know that they stole the identity of the true biblical Semitic Israelites 'US' and are claiming to be Jewish people today.. So When Kendrick says your not a colleague your a colonizer it goes much deeper than rap.. IYKYK;"[200]

- "Stopped by Compton's Tam's #21 with the homie for some burgers and to call @Drake a jewish pedophile. You know I had to do it to em #NotLikeUs @kendricklamar Kek shoutout Rosecrans;"[201] and

- "**BROOOOO, DRAKE IS A COLOLNIZER BECAUSE HE IS JEWISHHHH**."[202]

177. In a May 10, 2024 recording of the "It's Been a Minute" show produced by National Public Radio (NPR), host Brittany Luse discussed the allegations in the Recording with NPR Music Reporter Sidney Madden and writer Tirhakah Love.[203] They understood the Recording to be linking Drake and his alleged criminal behavior to other famous figures who were revealed to the public as sexual predators and later convicted for their crimes, such as rapper R. Kelly.[204] Ms. Madden insinuated that the allegations could be true, commenting that so "much dirt has been

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[199] User @MrJoeNobody, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 5, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgyR8Ic30DarlLMQ85d4AaABAg [https://perma.cc/8GV6-BFUK] (emphasis added).

[200] User @rogerhines1779, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 8, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgyW_NBCk3_yN75K9Cl4AaABAg [https://perma.cc/E7VW-C3QU] (emphasis added).

[201] spico blanco 2 electric boogaloo (@Cassius28865223), X (Aug. 4, 2024), https://x.com/Cassius28865223/status/1820261511685881932 [https://perma.cc/C2NN-WA9B].

[202] User @CamLo-c9t, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 12, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgyJ0puH2rTCo7sfZil4AaABAg [https://perma.cc/TJ3Z-S2KY] (emphasis added).

[203] *Drake and Kendrick are beefing, but who pays? Plus, moms as our social safety net*, It's Been a Minute, NPR (May 10, 2024), https://www.npr.org/transcripts/1197956376?ft=nprml&f=1197956376 [https://perma.cc/T8H2-5F59].

[204] *Id*.

unearthed."[205] To Love, the allegations rose to the level of warranting an investigation:[206] because while this "sort of behavior" [meaning sexual violence] is "in our faces for a lot of different industries," it is unusual for the allegations to come from "contemporaries."[207] The podcast positioned the Recording as having the potential to be a tipping point for a #MeToo movement in the world of hip-hop.[208]

178. Luse explicitly asked her guests whether they considered the allegations in the Recording to be art or "cause for an actual criminal investigation."[209] Ms. Madden answered by pointing to the trial of rapper Young Thug, who was recently criminally prosecuted in Georgia on RICO charges, in a case where the prosecution relied heavily on rap lyrics as evidence.[210]

179. Other celebrities have suggested the possible truth of the allegations. During his set at a May 7, 2024 charity event, actor and comedian Seth Rogen commented on how Drake must feel now that "people are dancing" to a song that calls him a sexual predator.[211] Mr. Rogen said, "Could you imagine going to a club and seeing a room full of people dancing to a song about you being a pedophile? Especially if you were one? I don't know if he is, but if he was, I assume that'd be a very alarming moment in your life. 'Oh no, they're on to me.'"[212]

180. Others compared Drake to infamous people who have actually been charged with and found guilty of sex crimes. In comments on UMG's initial publication of the Recording and

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[205] *Id*.

[206] *Id*.

[207] *Id*.

[208] *Id*.

[209] *Id*.

[210] *Id*.

[211] Derrick Rossignol, *Seth Rogen Pinpoints The Moment Drake Officially Lost the Kendrick Lamar Beef and Marvels at How Crazy the Whole Thing Is*, Uproxx (May 8, 2024), https://uproxx.com/music/seth-rogen-drake-kendrick-lamar-pedophile/ [https://perma.cc/W9GP-QUUX].

[212] *Id.*

Image to YouTube, users commented, "[D]rake is a pedophile and sexual abuser on the level of Weinstein, Diddy, and Epstein"[213] and "people like Drake, [W]einstein and Epstein, using power and money to humiliate and terrorize and traffic and groom females and children."[214] Commentors on the Video repeated similar sentiments, such as: "We have an anti-PDF anthem! About time. No justice for guys like Diddy, Epstein, and Drake and all the victims they cause much less the Johns."[215] Users characterized Drake of being just another "Hollywood pedo."[216]

181. Believing the accusations, many listeners also repeated the calls for violence against Drake from the Defamatory Material. In the comment sections of UMG's first publication of the Recording and Video on YouTube, users made threats:

- "Drake not going to be able to touchdown into Cali going forward. Somebody gonna Biggie Smalls him. Homies out here don't tolerate pedophilia. Not even joking;"[217]
- "Drake better come with secret service-type security if he plans on going through LA. And even then that might not be enough. They 'Not Like Us' [laughing emojis];"[218] and

[213] User @TheRealRyanMickens, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgzDjAlJPQtrc1E2Eqd4AaABAg [https://perma.cc/SS4F-Y8DZ].

[214] User @ogekanvas, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 12, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgxKXmpopglRXFMYsWx4AaABAg.A3K_djsknWrA3L_48a7YKz [https://perma.cc/8URW-9PEH].

[215] User @JacobChavez-pc2cm, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 7, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgyNfScmqWKyAIl9J6F4AaABAg [https://perma.cc/B9EL-FLRB].

[216] Ace High (@AceHighAlbion), Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 20, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgydWMZ9oZUKHgLeirZ4AaABAg [https://perma.cc/GB25-STV3].

[217] User @photograffito, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 5, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgwhwswcQjXOw7c9t_d4AaABAg [https://perma.cc/XEH3-KMQH].

[218] User @Thx4everything_117, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 5, 2024),

- "Drake can never go to LA without secret service level security now."[219]

182. On X, the references to violence continued: "[T]his is one of those situations where you kinda just gotta kill yourself if you're drake."[220]

183. Other commenters reveled in the idea of Drake suffering from sexual assault in prison: "Even nerds know if you're messing with kids you don't do good in jail"[221] and "[E]veryone is dancing to drake being a pedo getting violated in prison."[222]

https://www.youtube.com/watch?v=H58vbez_m4E&lc=Ugzwae5O4LuQwkI5OJ54AaABAg [https://perma.cc/8Z4J-L3MP].

[219] User @Wilson_Mccartney, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 4, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=Ugzx3XCuiNJxajv-ybp4AaABAg [https://perma.cc/3D8Z-CUBD].

[220] Kelly (@BoyYeetsWorld), X (June 19, 2024), https://x.com/BoyYeetsWorld/status/1803621362751177097 [https://perma.cc/3JLZ-XTBQ].

[221] User @randomforyoutube3215, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 7, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgwHQYlQsr1DeR8drm94AaABAg.A377Gd2IUF9A378s0FtOk0 [https://perma.cc/KPK9-SAHX].

[222] User @ImChickenLittle, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgzukLEOCNlaEbrb_Nd4AaABAg.A39hSm0r_5uA39hf9iwdiv [https://perma.cc/LSV3-7XTV].

184. Belief in the truth of Defamatory Material persisted in direct response to Drake's denial of the claims in "The Heart Part 6":[223]

Drizzy @Drake · May 5, 2024
The Heart Part 6 out now
And we know you're dropping 6 mins after so instead of posting my address you have a lot to address
youtube.com
THE HEART PART 6 - DRAKE
16K
48K
151K
30M
Sultan Of SOlana.WEN
@SultanØfSØlana
I don't care what they say, you'll always be in the big 3 in my book.
THE BIG 3
TORONTO POLICE DEPT.
10 24 19
418686
made with mematic
5:10 PM · May 6, 2024 · 47.4K Views

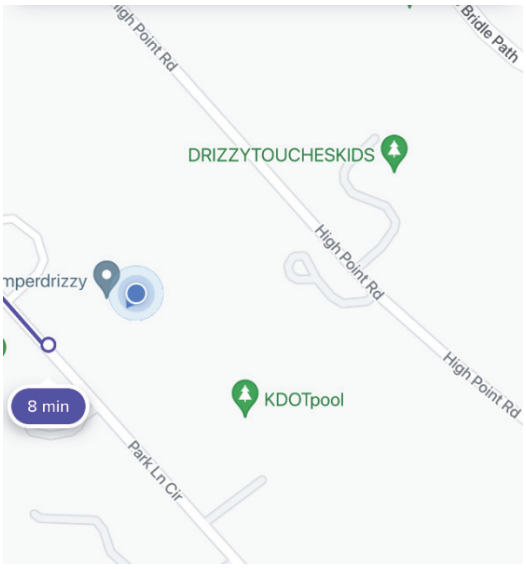
185. The social media reaction described in Paragraphs 170 to 184 are just a tiny slice of the public vitriol caused by UMG's defamation of Drake.

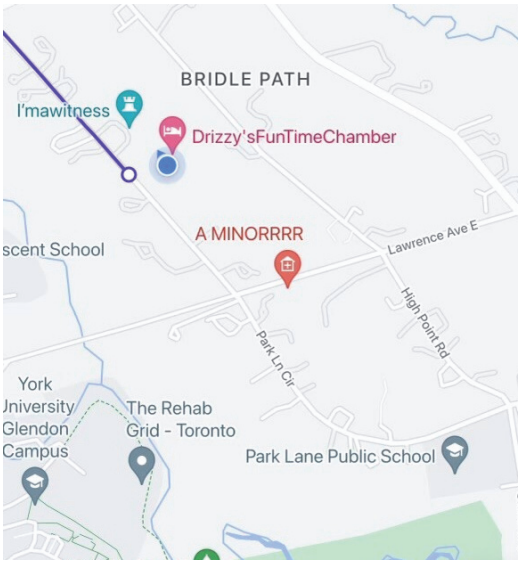
186. The spewing of hate against Drake has not been limited to social media. The public has leveraged multiple other platforms to repeat the lies in the Defamatory Material. For example,

[223] Sultan of SOLana.Wen (@ropexgang), X (May 6, 2024), https://x.com/ropexgang/status/1787590823535673684 [https://perma.cc/W7EU-TG53]; *see also* IAintGonCap (@IAintGonCap), X (May 5, 2024), https://x.com/IAinGonCap/status/1787300175054049618 [https://perma.cc/GT6T-2AYL] ("Kendrick didn't lie about anything! You fed misinformation for him to expose you having a Fake Daughter but he still smoked and broke you down for being into Underage Girls, being addicted to pills,your camp having Sexual Assaults and also you having gambling problem which are ALL TRUE and One is Subjective the Gambling…Your Spiraling More and The Fart 6. Ain't it. #OVHO #MeetTheGrahams.").

users have edited the address that appears on Google Maps and Apple Maps at Drake's Toronto address to read "pedophile lives here" and "he touches little girls."

187. In the summer of 2024, users updated the description of Drake's Toronto address in rideshare applications Uber and Lyft. Users have edited the address to read "***DRIZZYTOUCHESKIDS***," "***Drizzy'sFunTimeChamber***," and "***A MINORRRR***."





188. Less than a month after UMG published the Recording and Image, author Martin Vidal published an article titled "The Drake-Kendrick Rap Beef: A Case Study of Mob Psychology."[224]

189. Mr. Vidal explains that "mob mentality" is a psychological state that causes people to abandon nuance, label anyone who defends the accused as being guilty of the same actions of the accused, reward those who perpetuate their cause, and do bad in the name of doing good, even when accusations are made without supplying any evidence. Mr. Vidal concludes that the public

[224] Martin Vidal, *The Drake-Kendrick Rap Beef: A Case Study of Mob Psychology*, Medium (May 24, 2024), https://medium.com/the-riff/the-drake-kendrick-rap-beef-a-case-study-of-mob-psychology-30d42b46b3a7 [https://perma.cc/6H27-F2ZS].

reaction to the allegations against Drake were classic mob mentality, citing the shooting and other trespassing incidents, instances of vandalism at Drake's OVO stores, and overwhelming negative public outcry.

190. Mr. Vidal explains that this mob mentality is why people can believe the allegations despite the fact that "Drake has never been accused of inappropriate behavior with a minor (or something similar, like grooming) by any underage or formerly underage person he's interacted with, or their families, or their acquaintances, and just about every alleged victim of such has come out in defense of Drake."

191. According to Mike Rothschild, an author and expert on conspiracy theories, accusations of pedophilia are particularly ripe for conspiracies.[225] He describes that allegations of child sexual abuse cause people to "immediately just lose their mind — even if these children don't exist" and even "if you just put out the suggestion there, it grabs ahold in a way that is difficult to dislodge."[226] Mr. Rothschild also notes that social media exacerbates conspiracy theories because the spread of information, or disinformation, can happen so much more rapidly than in the analog age.[227]

B. *UMG's Conduct Caused Drake Reputational, Financial, Physical, and Emotional Harm.*

192. UMG's publications have caused Drake reputational, financial, physical, and emotional harm, and all of these harms were reasonably foreseeable.

193. The Economist and YouGov polled Americans about their views of Drake in August 2023 and in May 2024, shortly after the release of the Recording and Image. Drake's

[225] Kim, *supra* note 10.

[226] *Id.*

[227] *Id.*

favorability rating dropped by 11% while his unfavorability rating rose 13%.[228] As of May 2024, Drake was "now less popular in the United States than Joe Biden and Donald Trump."[229]

194. As a public figure, Drake's reputation is paramount to his career and is directly related to his financial success. UMG's purposeful spread of the Defamatory Material unquestionably caused Drake reputational harm. Because of UMG's defamation, millions of people all over the world now associate Drake with pedophilia and sexual violence against children:

- "Every time I think of Aubrey now I just sing [']certified lover boy certified pdfile[’] in my head;"[230]
- "Drake may or may not recover from this, but either way **shit's never gonna be the same for him after this song**. He can't escape from it, creepy pedo ass;"[231]
- "Dont think his rap career is dead, but enough questions have been asked so **there should be notable impact on his career** . . . ;"[232]
- "What am I suppose to tell my kids when they ask me if these allegations are true? They did not even know Kendrick music well but identified a feeling in [K]endricks music that resonated with there truth. **These words are scathing**

[228] David Montgomery, *Polls show Drake is losing his feud with Kendrick Lamar*, YouGov (May 16, 2024), https://today.yougov.com/politics/articles/49451-polls-show-drake-is-losing-his-feud-with-kendrick-lamar [https://perma.cc/3D4A-3KG7].

[229] Joe Edwards, *Drake Now Less Popular in the US Than Biden, Trump*, Newsweek (May 17, 2024), https://www.newsweek.com/drake-poll-biden-trump-kendrick-lamar-1901745 [https://perma.cc/L4HF-STPN].

[230] User @deelaw, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 6, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgysYam8wQR1iF1OOUd4AaABAg [https://perma.cc/FJL2-HUF4].

[231] User @johnnyrivas2619, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 5, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgxAJNNJvjl4aiD560B4AaABAg [https://perma.cc/5XSN-KVFQ] (emphasis added).

[232] User @bg1251, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 6, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgyC98eu0JPMQKG_dqN4AaABAg.A5VBBvesZLGA5XRyIMTpit [https://perma.cc/V2AQ-QT3P] (emphasis added).

to any listener. **I got some decision's to make after this because I can't play drake in my car with this narrative floating around**. Dangerous;"[233]

- "I don't wanna be that guy but I never took Drake seriously, he's Canadian, he was in Degrassi that stuff makes it hard for me to take him seriously. I thought that's why Kendrick went after him. Now that it's more serious than just Drake being fake, **I'm like wow if I knew all this I'd hate Drake too**. This is check mate for Drake because how exactly do you respond to someone calling you a sociopath, a deadbeat and a pedo? **As for KL I just wanna know how he found out some of these things** and what took so long to call Drake out;"[234] and

- "This whole thing is beyond brutal at this point. Kendrick must truly fucking hate Drake for some reason. **Makes me inevitably think there might be real merit to the pedophile claims. Sorry Drake, Kendrick is literally making me think it.** Jesus christ, talk about winning a rap beef [laughing emojis]."[235]

195. This reputational harm caused Drake financial harm in an amount to be proven at trial. UMG knew or should have known that the statements it published about Drake would cause substantial harm as the statements are inflammatory, wrongfully impute criminal activity to him, and damage Drake in his trade. The Defamatory Material has so severely damaged Drake's standing in his trade and community that undoing the reputational harm caused would require a massive, and expensive, corrective campaign. It is not just the fact that the false allegations have spread to millions around the globe, it is also the intensity with which people believe the allegations as evidenced by the events of May 7, 2024 and pervasive online commentary. Changing people's minds, particularly about deeply held beliefs, takes repeated messaging from trusted sources.

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[233] User @Mesquite103, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=Ugx4tw7pScwTmxZRJgJ4AaABAg [https://perma.cc/9S4Q-RYNE] (emphasis added).

[234] User @miguelzurita3216, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (May 8, 2024), https://www.youtube.com/watch?v=T6eK-2OQtew&lc=UgzepMW_ZmA-jpOZ4lp4AaABAg.A39Umhbxa2hA39oO8zdpS7 [https://perma.cc/X89T-2XU6] (emphasis added).

[235] User @11cockrellm, Comment, Kendrick Lamar (@kendricklamar), *Kendrick Lamar – Not Like Us*, YouTube (July 7, 2024), https://www.youtube.com/watch?v=H58vbez_m4E&lc=UgxIuAXkpmfSycCn6wV4AaABAg.A5XwaGEIEB0A5_wDJFEk8J [https://perma.cc/VUT8-5875] (emphasis added).

196. UMG knows and understands just how destructive false allegations of participating in criminal sex acts against minors can be. When UMG and Sir Grainge were accused of aiding and abetting P. Diddy's criminal sex acts in 2024, they moved to dismiss the complaint and called the accusations "offensively false allegations of criminal behavior" that would be "libelous *per se*" if not contained within a legal filing[236] and "knowingly and maliciously false and defamatory."[237]

197. In Sir Grainge's words, "a single lie can destroy a reputation of integrity and that while it takes years to build a reputation, it can be ruined in five minutes."[238]

198. UMG's conduct has also caused Drake physical and emotional harm. UMG's publication was the proximate cause of the violence against Drake in early May. Following this violence, Drake made lasting changes to his life, including increasing security for himself and his family anywhere they go. The threat of violence continues to weigh on Drake. With respect to his family, Drake temporarily took his son out of school and away from the Toronto area (along with Drake's mother) for security concerns. And to this day Drake experiences anxiety worrying about the physical safety of his seven-year-old son and mother.

UMG DECEIVED THE PUBLIC AND CAUSED DRAKE HARM

199. UMG's deceptive business practices, including providing undisclosed financial benefits to third parties to promote the Defamatory Material, were consumer oriented, deceived the public, and caused Drake financial harm.

200. As described above, UMG knowingly provided covert financial benefits to third parties, including to use bots to stream the Recording. UMG then knowingly promoted the success

[236] Declaration of Donald S. Zakarin, *supra* note 12, at ¶ 3.

[237] Declaration of Sir Lucian Grainge, *supra* note 14, at ¶ 24.

[238] *Id*.

of the Recording and Defamatory Material, and used that success to leverage more sales and deals. UMG never disclosed these payments to consumers.

201. These covert tactics caused Drake harm. Stream manipulation, like UMG's purchase of fake streams on Spotify and other platforms, harms the artists, like Drake, who collect royalties through legitimate streams because when there is "a sharp increase in the number of streams recorded on a platform, without a proportional increase in the number of paying subscribers," there is a "drop in the unit value of a stream and therefore a drop in the amount of royalties paid to rights-holders."[239] Additionally, streaming platforms, like Spotify, use streaming data to proportionally allocate and disperse payments, which means streaming fraud diverts funds from artists whose songs are legitimately streamed by real consumers to those who use automation to falsely create the appearance of legitimate streaming.[240]

FIRST CLAIM
(Defamation/Defamation *Per Se*)

202. Plaintiff incorporates and re-alleges all preceding paragraphs as if fully set forth herein.

203. Plaintiff is a public figure.

204. UMG published, caused the publication of, participated in the publication of, and/or reasonably could have foreseen that its actions would result in the publication of a series of false and defamatory statements of fact about Plaintiff, including by and through its agents, making the statements itself, and republishing the statements on its websites and social media accounts, as detailed extensively above. As a reasonably foreseeable—and intended—result of Defendant's statements and actions, others repeated and amplified these false and defamatory statements.

[239] *Stream Manipulation*, *supra* note 129, at 12.

[240] *See* Burton, *supra* note 141, at 390-92.

205. UMG intentionally made false implications through the false statements. The defamatory meanings of Defendant's false and implied statements of fact are apparent from the face of the publications, refer to Drake by name, often are accompanied by images of symbols, items, places, and other depictions known to be associated with Drake, and/or are reasonably understood to be about him.

206. The statements UMG published about Drake are reasonably understood to state or imply that he:

a. has a history of engaging in and continues to engage in pedophilia and sexual relations with minors;

b. engages in other sexual criminal acts, including sex trafficking;

c. is a sex offender or engages in acts that would require him to be registered as a sex offender; and

d. harbors in his home individuals who are sex offenders or engage in acts that would require them to be registered as sex offenders.

207. These statements and implications are false and defamatory *per se* in that they impute criminal activity punishable by law and damage Drake in his trade, office, or profession.

208. UMG published these false statements with actual malice, i.e., with knowledge of their falsity or with reckless disregard as to their truth. UMG knew or should have known that the defamatory statements—all of which are verifiable—were and are false. UMG failed to assess or investigate the falsity of the defamatory statements despite inherent improbability and obvious reasons to doubt the veracity of the statements. Drake also made a public statement about their falsity and repeatedly informed UMG of the same privately.

209. UMG had no basis on which to believe that the allegations were true, and indeed knew them to be false given UMG's longstanding contractual relationship with Drake, and continued to publish the allegations after learning Drake had disavowed the statements.

210. UMG published the allegations, including by its publication of the misleading Image and other conduct described herein, in a manner to create false inferences.

211. UMG had financial motives for promoting the Defamatory Material.

212. UMG endorsed and adopted the false allegations as its own, publishing and republishing, or causing to publish and republish, the false allegations for months with full knowledge of their falsity or reckless disregard for their truth.

213. UMG had no applicable privilege or legal authorization to make these false and defamatory statements.

214. UMG published these statements so that they were heard, viewed, or read billions of times around the world.

215. UMG's statements damaged Drake's reputation in the general public, in his profession, in his personal life, in his neighborhood, and with friends, relatives, and neighbors.

216. As a direct and proximate result of Defendant's conduct, Drake has suffered significant general, actual, consequential, and special damages including, without limitation, impairment of reputation and standing in the community and in his profession, personal humiliation, mental anguish and suffering, emotional distress, stress, anxiety, lost earnings, and other pecuniary loss.

217. UMG was aware of the ongoing harm Drake was experiencing, including because of news reports of the armed attack on his Toronto residence and Drake's private communications with UMG.

SECOND CLAIM
(Harassment in the Second Degree)

218. Plaintiff incorporates and re-alleges all preceding paragraphs as if fully set forth herein.

219. UMG engaged in a course of conduct and repeatedly committed acts which alarm and seriously annoy Plaintiff. UMG published, promoted, and profited from a coordinated campaign to smear, threaten, and discredit Plaintiff despite Plaintiff's protests. Further, UMG has placed Plaintiff in reasonable fear of physical harm. UMG published explicit threats and calls for violence against Drake.

220. The Defamatory Material individually and collectively provide a call to violence against Plaintiff. UMG has continued a course of conduct to promote these publications online and on radio airwaves and through public events and further licensing of the Recording. UMG has done so despite being a major business partner of Drake, having knowledge of physical violence and threats at Drake's home, and being aware of Drake's public and private denials of the statements.

221. UMG's course of conduct in publishing specific and unequivocal threats of violence has placed Plaintiff in a reasonable fear of physical harm. Plaintiff's security guard was taken to the hospital with serious injuries after a shooting.

222. While its initial motive was financial, UMG lost any legitimate purpose to continue its course of conduct in the face of Drake's public and private denials.

223. As a direct and proximate result of Defendant's conduct, Drake has suffered significant general, actual, consequential, and special damages including, without limitation, mental anguish and suffering, emotional distress, stress, anxiety, and costs related to his increased security.

THIRD CLAIM
(Violation of the New York General Business Law § 349)

224. Plaintiff incorporates and re-alleges all preceding paragraphs as if fully set forth herein.

225. Plaintiff is "person" within the meaning of N.Y. Gen. Bus. Law § 349(h).

226. Defendant is a "person, firm, corporation, or association" within the meaning of N.Y. Gen. Bus. Law § 349(b).

227. Defendant engaged in deceptive acts and practices in the conduct of business, trade, and commerce by covertly financially incentivizing third parties to play, stream, and promote the Recording and then by making materially false and misleading representations of the Recording's popularity to consumers.

228. UMG paid at least one third party to use bots to stream the Recording on Spotify. UMG then touted the Recording's number of streams on Spotify while knowing that at least 30 million of those streams were false and fraudulent.

229. UMG also paid at least one radio promoter to engage in pay-for-play of the Recording on New York radio stations. UMG then marketed the Recording as "chart-topping" despite knowing that it had paid third parties, including radio stations, to play and promote the Recording.

230. A reasonable consumer of music would be materially misled by these deceptive acts and practices.

231. These deceptive acts and practices were consumer-oriented because they were directed and disseminated to the general music-consuming public and marketplace and had a broad impact on music consumers at large.

232. These alleged deceptive acts and practices occurred (at least in part) in the state of New York.

233. Plaintiff was injured as a direct and proximate result of Defendant's deceptive acts and practices on streaming platforms because each time the Recording was artificially streamed,

Drake's songs received a disproportionate share from the pool of royalties collected based on the streaming data.

234. Plaintiff was separately injured as a direct and proximate result of Defendant's deceptive acts and practices in the radio industry because every time the Recording was played, Drake lost the opportunity for one of his songs to be played.

235. By reason of the foregoing, UMG's conduct, as alleged herein, constitutes deceptive acts and practices in violation of Section 349 of the New York General Business Law, and UMG is liable to Plaintiff for the actual damages that he has suffered as a result of Defendant's actions, the amount of such damages to be determined at trial, plus treble damages, and attorneys' fees and costs.

236. Plaintiff further demands injunctive relief enjoining Defendant from continuing to engage in, use, or employ any act, including false statements of the Recording's success or other representations, prohibited by Section 349 of the New York General Business Law.

PRAYER FOR RELIEF

237. WHEREFORE, Plaintiff prays for judgment against UMG for each of the causes of action raised herein. Plaintiff respectfully requests a judgment in his favor against UMG for:

a. Nominal damages;

b. Compensatory damages, including general, actual, consequential, and special damages, in an amount to be determined at trial;

c. Punitive damages;

d. Reasonable and necessary attorneys' fees;

e. Reasonable and necessary costs of the suit;

f. Prejudgment and post-judgment interest at the highest lawful rates;

g. Declaratory relief stating that the statements published and promoted by UMG and those attributable to UMG as reasonably foreseeable

republications identified within this Complaint, individually and collectively, were and are false;

h. Injunctive relief enjoining UMG from making statements about the popularity of the Recording, Image, or Video that it knows to be false based on fake streams or pay-for-play; and

i. Such other and further relief as this Court deems just and appropriate.

Dated: January 15, 2025

Respectfully Submitted,

By: */s/ Michael J. Gottlieb*

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EXHIBIT A

“NOT LIKE US” – LYRICS

Psst, I see dead people
(Mustard on the beat, hoe)

Ayy, Mustard on the beat, hoe
Deebo, any rap nigga, he a free throw
Man down, call an amberlamps, tell him, "Breathe, bro"
Nail a nigga to the cross, he walk around like Teezo
What's up with these jabroni-ass niggas tryna see Compton?
The industry can hate me, fuck 'em all and they mama
How many opps you really got? I mean, it's too many options
I'm finna pass on this body, I'm John Stockton

Beat your ass and hide the Bible if God watchin'
Sometimes you gotta pop out and show niggas
Certified boogeyman, I'm the one that up the score with 'em
Walk him down, whole time I know he got some hoe in him
Pole on him, extort shit, bully, Death Row on him

Say, Drake, I hear you like 'em young
You better not ever go to cell block one
To any bitch that talk to him and they in love
Just make sure you hide your lil' sister from him
They tell me Chubbs the only one that get your hand-me-downs
And PARTY at the party, playin' with his nose now
And Baka got a weird case, why is he around?
Certified Lover Boy? Certified pedophiles

Wop, wop, wop, wop, wop, Dot, fuck 'em up
Wop, wop, wop, wop, wop, I'ma do my stuff
Why you trollin' like a bitch? Ain't you tired?
Tryna strike a chord and it's probably A-Minor

They not like us, they not like us, they not like us
They not like us, they not like us, they not like us

You think the Bay gon' let you disrespect Pac, nigga?
I think that Oakland show gon' be your last stop, nigga
Did Cole foul, I don't know why you still pretendin'
What is the owl? Bird niggas and bird bitches, go
The audience not dumb
Shape the stories how you want, hey, Drake, they're not slow
Rabbit hole is still deep, I can go further, I promise
Ain't that somethin'? B-Rad stands for bitch
And you Malibu most wanted

Ain't no law, boy, you ballboy, fetch Gatorade or somethin'
Since 2009, I had this bitch jumpin'

You niggas'll get a wedgie, be flipped over your boxers
What OVO for? The "Other Vaginal Option"? Pussy
Nigga better straighten they posture, got famous all up in Compton
Might write this for the docket, tell the pop star, "Quit hidin'"
Fuck a caption, want action, no accident, and I'm hands-on
He fuck around, get polished

Fucked on Wayne girl while he was in jail, that's connivin'
Then get his face tatted like a bitch apologizin'
I'm glad DeRoz' came home, y'all didn't deserve him neither
From Alondra down to Central, nigga better not speak on Serena
And your homeboy need subpoena, that predator move in flocks
That name gotta be registered and placed on neighborhood watch
I lean on you niggas like another line of Wock'
Yeah, it's all eyes on me, and I'ma send it up to Pac, ayy

Put the wrong label on me, I'ma get 'em dropped, ayy
Sweet Chin Music, and I won't pass the aux, ayy
How many stocks do I really have in stock? Ayy
One, two, three, four, five, plus five, ayy
Devil is a lie, he a 69 God, ayy
Freaky-ass niggas need to stay they ass inside, ayy
Roll they ass up like a fresh pack of 'za, ayy
City is back up, it's a must, we outside, ayy

They not like us, they not like us, they not like us
They not like us, they not like us, they not like us

Once upon a time, all of us was in chains
Homie still doubled down callin' us some slaves
Atlanta was the Mecca, buildin' railroads and trains
Bear with me for a second, let me put y'all on game
The settlers was usin' town folk to make 'em richer
Fast-forward, 2024, you got the same agenda
You run to Atlanta when you need a check balance
Let me break it down for you, this the real nigga challenge

You called Future when you didn't see the club (ayy, what?)
Lil Baby helped you get your lingo up (what?)
21 gave you false street cred
Thug made you feel like you a slime in your head (ayy, what?)
Quavo said you can be from Northside (what?)
2 Chainz say you good, but he lied
You run to Atlanta when you need a few dollars
No, you not a colleague, you a fuckin' colonizer

The family matter, and the truth of the matter
It was God's plan to show y'all the liar

Mm
Mm-mm
He a fan, he a fan, he a fan (mm)
He a fan, he a fan, he a-
Freaky-ass nigga, he a 69 God
Freaky-ass nigga, he a 69 God
Hey, hey, hey, hey, run for your life
Hey, hey, hey, hey, run for your life
Freaky-ass nigga, he a 69 God
Freaky-ass nigga, he a 69 God
Hey, hey, hey, hey, run for your life
Hey, hey, hey, hey, run for your life

Let me hear you say, "OV-hoe" (OV-hoe)
Say, "OV-hoe" (OV-hoe)
Then step this way, step that way
Then step this way, step that way

Are you my friend?
Are we locked in?
Then step this way, step that way
Then step this way, step that way

Source: *Not Like Us,* Musixmatch (May 4, 2024), https://www.musixmatch.com/lyrics/Kendrick-Lamar/Not-Like-Us.

EXHIBIT B

	URL	Perma Link	Views as of 01/12/2025
1	https://www.tiktok.com/@boomshadowace/video/7418945847225781522	https://perma.cc/MLR4-74KD	136,500,000
2	https://www.tiktok.com/@duh.itzz.vivienne/video/7365171805172157742	https://perma.cc/Y6KG-ZHJJ	49,600,000
3	https://www.tiktok.com/@austinpepito/video/7365925378239548714	https://perma.cc/X3LB-TAJE	46,000,000
4	https://www.tiktok.com/@enhypen/video/7374792955237895425	https://perma.cc/5CSE-69W7	36,700,000
5	https://www.tiktok.com/@coolitd/video/7397567717433183534	https://perma.cc/R49M-VWM5	34,500,000
6	https://www.tiktok.com/@chillestcat/video/7366226777183718657	https://perma.cc/5H3G-UYHR	33,600,000
7	https://www.tiktok.com/@king.science/video/7371177637173153067	https://perma.cc/QPQ4-FVWV	27,500,000
8	https://www.tiktok.com/@juicyyyyjayyy/video/7383515649672301870	https://perma.cc/2N8L-YYYC	26,300,000
9	https://www.tiktok.com/@bamypb/video/7380050903681830176	https://perma.cc/U387-ZLFJ	23,500,000
10	https://www.tiktok.com/@tesskrauser/video/7366332648572079402	https://perma.cc/8US4-W6MV	21,600,000
11	https://www.tiktok.com/@redbulldance/video/7388262158737411361	https://perma.cc/N7JN-5RKV	20,700,000
12	https://www.tiktok.com/@popsense_/photo/7365571333691854113	https://perma.cc/87CE-DDNK	20,600,000
13	https://www.tiktok.com/@vrewls/video/7366050865687432490	https://perma.cc/PU7M-D5ME	20,400,000
14	https://www.tiktok.com/@lextakesthecity/video/7382678737453583658	https://perma.cc/B5YA-8FM5	20,300,000
15	https://www.tiktok.com/@themalachibarton/video/7370520570070338859	https://perma.cc/8DZS-F6XW	20,200,000
16	https://www.tiktok.com/@yon1on0/video/7365339423778721070	https://perma.cc/VNP4-KCFJ	20,200,000
17	https://www.tiktok.com/@ourtravelera/video/7382977858219560234	https://perma.cc/AWK6-L2KN	18,900,000
18	https://www.tiktok.com/@kennabeann14/video/7369705504249007403	https://perma.cc/LJJ8-MELZ	18,100,000
19	https://www.tiktok.com/@vrewls/video/7387949209397382442	https://perma.cc/3XGB-MGA4	17,500,000
20	https://www.tiktok.com/@the_hoodjabi_/video/7365981699236302110	https://perma.cc/EV2F-CXZF	17,400,000
21	https://www.tiktok.com/@cooljake_48/video/7368221212465483051	https://perma.cc/S59T-8T9H	16,000,000
22	https://www.tiktok.com/@p0pularkeyy/video/7371510477932776750	https://perma.cc/56GD-EV9X	16,000,000
23	https://www.tiktok.com/@izzynokizzybackup/video/7387926500013526302	https://perma.cc/UJ4M-K6NB	15,300,000
24	https://www.tiktok.com/@official_nct/video/7376584288428494097	https://perma.cc/5772-3KC8	15,300,000
25	https://www.tiktok.com/@njanequim/video/7367097791350443281	https://perma.cc/8H72-BW85	14,900,000
26	https://www.tiktok.com/@xhiejijiclre/video/7366240347309083910	https://perma.cc/R22G-2735	14,800,000

27	https://www.tiktok.com/@reallyrics17/video/7383465102810336544	https://perma.cc/VWV5-AGKY	14,200,000
28	https://www.tiktok.com/@thomashubener/video/7389268102564908321	https://perma.cc/L7XS-RH7A	14,200,000
29	https://www.tiktok.com/@flighthouse/video/7371518212598418719	https://perma.cc/2QM9-7YBQ	14,000,000
30	https://www.tiktok.com/@sad_i_e/video/7370575528404733189	https://perma.cc/7QE4-GZKP	13,300,000
31	https://www.tiktok.com/@overtime/video/7386728839742786862	https://perma.cc/NT4U-UMHE	13,100,000
32	https://www.tiktok.com/@quesoalex777/video/7367813846532181294	https://perma.cc/B2YU-LKXX	13,100,000
33	https://www.tiktok.com/@keanulck/video/7382415013631266080	https://perma.cc/9XS6-YZTC	13,000,000
34	https://www.tiktok.com/@chelsie.dahl/video/7378001417073691950	https://perma.cc/FLN6-BZK5	12,200,000
35	https://www.tiktok.com/@tessapeay/video/7371583133050752298	https://perma.cc/BH6M-9QP8	11,800,000
36	https://www.tiktok.com/@cloutynaz/video/7382409704246398250	https://perma.cc/JR5D-RFY8	11,500,000
37	https://www.tiktok.com/@dogmamaforkamala/video/7397609730769734943	https://perma.cc/6T3V-TXY7	11,400,000
38	https://www.tiktok.com/@thesensoryclub/video/7366781844051971374	https://perma.cc/WV8B-ADUM	11,300,000
39	https://www.tiktok.com/@hiphoplaylist_/video/7398315713724812576	https://perma.cc/4SJD-PMVF	11,000,000
40	https://www.tiktok.com/@lucki.lover123/video/7367216866386840874	https://perma.cc/4LPH-4XSE	10,900,000
41	https://www.tiktok.com/@ecolchi_/video/7393321097346731295	https://perma.cc/QP3B-8YJV	9,500,000
42	https://www.tiktok.com/@fiscooemo/video/7366416429698010411	https://perma.cc/9V4S-QXAC	9,400,000
43	https://www.tiktok.com/@thenightoperators/video/7312635885441256710	https://perma.cc/7JKJ-8WEF	9,400,000
44	https://www.tiktok.com/@lyricalmedia/video/7387931931868171526	https://perma.cc/6TCY-A6BA	9,100,000
45	https://www.tiktok.com/@basiciggy/video/7367039771639680298	https://perma.cc/A5Y8-7GF6	8,700,000
46	https://www.tiktok.com/@ari.piercing/video/7369700252208647467	https://perma.cc/GM73-F2NV	8,600,000
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52	https://www.tiktok.com/@themarblerace1/video/7367779124590546209	https://perma.cc/4797-K55M	7,500,000
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107	https://www.tiktok.com/@uh.idk.uh/video/7372628749210225926	https://perma.cc/BR7R-NTWJ	2,200,000

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